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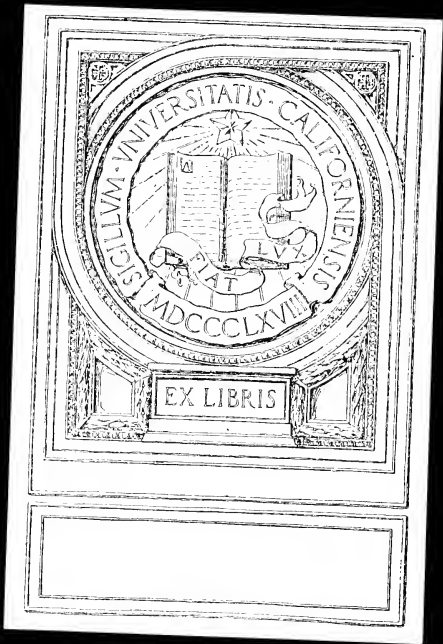
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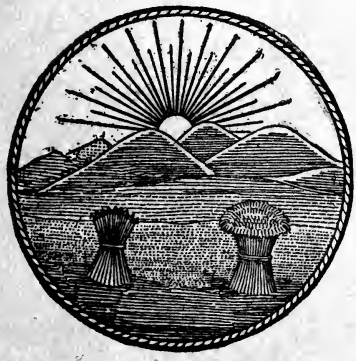
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UNIVERSITY OF OHIO
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OHIO

INTERROGATION POINTS

J. W. TANNEHILL



ISSUED, 1917

VIC. DONAHEY
AUDITOR OF STATE



OHIO
INTERROGATION
POINTS

PREPARED BY

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For the use of Ohio High Schools and Colleges
and to increase interest among voters and
others in the Government of the
Buckeye State

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FOREWORD.

The purposes for which the "Ohio Interrogation Points" were inserted in the Auditor of State's report for 1914 have been realized, even beyond our expectations. Auditor of State, A. V. Donahey, in his efforts to improve the fiscal system of the state and eliminate illegal expenditures and unnecessary governmental functions, is realizing more and more that to attain completely his ideal in the public service he must have the approval and assistance of all good citizens, and such support cannot be most effectively rendered so long as interest in the history and government of the state is not general or such information is not within the reach of the masses.

The "Ohio Interrogation Points" is the first brief, comprehensive list of questions on Ohio's constitution, laws and past history ever published. The hundreds of requests for a pamphlet of answers which we have received from every section of Ohio demonstrate two facts: first, that there is a general desire for such definite, condensed and accurate data on Ohio; second, that such information is not at present available to ninety-nine per cent. of the citizens of the state.

It is with regret and astonishment that we have found that, with rare exceptions, the high school libraries of Ohio are practically valueless as an aid to intelligent study by advanced pupils of state history and government. Most of such libraries are largely made up of absolutely worthless, detrimental, and often pernicious fiction.

To satisfy the general demand and meet the evident need, the present brief publication has been prepared. It contains in condensed form a wide range of important facts that every high school pupil, college student and voter of the state should possess. At a cost to the state of a few cents, this pamphlet furnishes Buckeye historical and governmental information that cannot be made available in a school or college library by the expenditure of one hundred dollars for reference works. Some of this matter cannot be found even in the State Library.

If additional facts or information more in detail is desired, we refer the reader to the following reference works:

- Randall & Ryan's History of Ohio.
- Ohio Archaeological and Historical Society Publications.
- Howe's Historical Collections of Ohio.
- St: Clair papers.
- Hildreth's Pioneer History.
- Hildreth's Biographical Memoirs of Pioneers.

J. W. Taylor's Early Ohio History.
Atwater's History of Ohio.
Chase's Statutes of Ohio.
Hinsdale's The Old Northwest.
Parkman's Conspiracy of Pontiac.
Winsor's The Westward Movement.
Burnet's Notes on Settlement of Northwest Territory.
Roosevelt's Winning of the West.
John S. C. Abbott's History of Ohio.
Knight's Land Grants for Education.
J. W. Taylor's Ohio School System.
King's History of Ohio.
Siebert's Government of Ohio.
Bogart's Financial History of Ohio.
Galbreath's Constitutional Conventions of Ohio.
Patterson's The Constitutions of Ohio.
Hulbert's The Old National Road.
Black's The Story of Ohio.
Howell's Stories of Ohio.
Venable's Tales from Ohio History.
Pearson and Harlor's Ohio History Sketches.
W. A. Taylor's Ohio Statesmen.
Martzolff's The Zane Trace.
Reid's Ohio in the Civil War.

The author is indebted for invaluable assistance in the preparation of the answers to Hon. C. B. Galbreath, State Librarian, Hon. E. O. Randall, Secretary of the Ohio Archaeological and Historical Society, and Judge George B. Okey of Columbus.

We trust that this brief handbook on Ohio will prove of some service to the voters and prospective voters of the state, and we thank all for the interest shown and the encouragement extended.

J. W. T.

OHIO INTERROGATION POINTS.

1. When, where and by whom was the plan of government of the Northwest Territory written and adopted? Who was president of the body?

The Ordinance of 1787 for the government of the Northwest Territory was the last notable act of the Congress of the Confederacy of the thirteen original states then in session in New York. It was passed July 13, 1787, or two months after the convention that framed the Federal Constitution had convened at Philadelphia. General Arthur St. Clair of Pennsylvania was president of Congress.

Like many famous documents of the past, its authorship is uncertain and in dispute. Four names are mentioned by various historians as probable authors — Thomas Jefferson, of Virginia, and Nathan Dane, Rufus King and Manasseh Cutler, all of Massachusetts. The facts seem to be that the ideas largely originated with Jefferson and that the language is chiefly the work of Nathan Dane.

Jefferson, as the chairman of a committee, made a report to congress in 1784, submitting a plan of government for the entire territory between the Alleghenies and the Mississippi and from Florida to the Canadian boundary, by which slavery was forever prohibited after the year 1800. This feature was eliminated by congress. Had the counsels of Jefferson prevailed, there is no doubt the Civil War would have been prevented. When the Ordinance of 1787 was written Jefferson was in France, but his ideas, including the prohibition of slavery and secession, were incorporated with other matter in the new act by Nathan Dane. The clause in relation to slavery was included at the suggestion of Rufus King and the educational and religious features were added by request of Manasseh Cutler.

2. What were the most objectionable features of this famous ordinance?

The ordinance of 1787 is a masterpiece of statesmanship and was the model of all subsequent provisions for the establishment of a settled government in a new territory. Antedating the Federal Constitution, it proclaims certain basic principles of a Republican form of government never previously enunciated. That thirteen sovereign states in which slaves were held in all but Massachusetts should prohibit that institution in territory under their absolute control was unique in the world's history. The declarations for education and religious freedom mark a new era in civilization.

But, with all its commendable features, it had its defects. It assured property rights to all who came to the Northwest Territory, but so long as it remained a territory, representative government was impossible. The granting of an absolute veto power over all legislation to Governor St. Clair was a serious mistake, and his unwise use of this prerogative produced such bitter opposition among a majority of citizens that respect for authority, the basis of all good government, was impossible. The recognition of property as a necessary qualification, not only to hold office, but also to vote, was unnecessary, unwise and un-American. It provided that the governor must own 1000 acres in the territory, the secretary and the three judges 500 each, the five members of the legislative council, or upper house, 500

acres each, members of the lower house 200 acres each, while free males of voting age with less than 50 acres of land were disfranchised.

3. Were slaves ever held by whites in the region formed into the Northwest Territory?

The Ordinance of 1787, Article VI, declares "There shall be neither slavery nor involuntary servitude in the Northwest Territory otherwise than in the punishment of crimes." That prohibition does not always prohibit was never more strikingly demonstrated than in the observance of this mandate of that famous ordinance. Not only did slavery continue to exist for many years under the ordinance, but this open disregard of the organic law of the Northwest Territory was acquiesced in by governors, legislative assemblies, the courts, and even the national government.

The French settlers at Detroit, Vincennes, and throughout Illinois, Michigan and Indiana had held slaves for many years prior to 1787. When the Ordinance was adopted a delegation from Vincennes called upon Governor St. Clair and were told that it did not free slaves then held. When this region was ceded by France to England in 1763 the French settlers were guaranteed their rights to continue holding slaves, and Jay's treaty with England in 1794 pledged the United States not to interfere with the property of English settlers, including their slaves. The first Illinois state constitution recognized slavery as existing and permitted those holding slaves to retain them in servitude, and this constitution was approved by the U. S. Congress. Indiana sought repeatedly to have the anti-slavery clause of the Ordinance of 1787 abrogated, and Governor William Henry Harrison (afterward president) was the leader of this movement to introduce slavery into Indiana.

Ohio came nearer obeying this article prohibiting slavery than any other division of the Northwest Territory, but it was far from being "free territory". In the constitutional convention of 1802 a proposition to permit a modified form of slavery in Ohio was defeated by only one vote. But after adopting a state constitution prohibiting slavery, the state legislature, in 1807, passed a law requiring that free negroes entering the state, who could not give bond of \$500.00 not to become a public charge, should have their services sold to the highest bidder. In many parts of Ohio, especially in the Virginia Military District, settlers from slave states brought their slaves with them and for years enjoyed the fruits of their labors without giving the blacks any compensation whatsoever. A colored man during the first quarter century of Ohio statehood had no more show for actual freedom and equality before the law than a rabbit.

Illinois, by the census of 1820, had slaves in every county but two. There were still 746 slaves in Illinois by the census of 1830, and slavery was to be found in that state in a few counties as late as 1847, or 60 years after the adoption of the Ordinance of 1787.

4. Who was governor of the Northwest Territory? Where was the capital located? Who was the first territorial representative in congress? Name twelve forts erected on Ohio soil as defenses against the Indians?

General Arthur St. Clair was appointed governor of the Northwest Territory by congress. The fact that he was president of congress at the time, in connection with certain suspicious circumstances surrounding the sale of lands by congress to the Ohio Company, casts an unfortunate stigma on the appointment. He was chosen on October 5, 1787, and served until

removed from office by President Jefferson November 12, 1802. No successor was appointed, the vacancy being filled by Secretary Charles Willing Byrd until Ohio was admitted as a state.

Marietta was settled by General Putnam and other citizens of New England. The Mayflower, with 48 on board, landed at the mouth of the Muskingum April 7, 1788. Governor St. Clair arrived July 9th, and Marietta became the first seat of government. St. Clair later resided at Cincinnati. The territory had no fixed capital. Laws were enacted first at Marietta and later at Cincinnati, Vincennes and Chillicothe.

William Henry Harrison was chosen in 1799 by the first territorial legislature as the first delegate to congress from the Northwest Territory. He received 11 votes to 10 cast for Arthur St. Clair, Jr., the son of Governor St. Clair. The latter had been appointed by his father Attorney General of the Territory.

Of some twenty-seven or more forts established at various places in Ohio in pioneer days, the following were the most noted:

Ft. Miami in Lucas county, the first fort in Ohio, was built by the French under Frontenac in 1680. It was later occupied by the English and was the last fort held by the English on Ohio soil after the Revolution, being evacuated in 1796.

Ft. Laurens, the first U. S. fort in Ohio, was erected by McIntosh in Tuscarawas county in 1778.

Ft. Harmar at Marietta was built by Major John Doughty, a subordinate of General Harmar, in 1785.

Ft. Washington at Cincinnati was built by Doughty in 1789.

Ft. Steuben at Steubenville was built in 1789.

Ft. Hamilton in Butler county was built by Gov. St. Clair in 1791.

Ft. Jefferson in Darke county was built by Governor St. Clair in 1791.

Ft. Greenville in Darke county was built by General Wayne in 1793.

Ft. Recovery in Mercer county, on the site of St. Clair's disastrous defeat, was built by General Wayne in 1793.

Ft. Defiance in Defiance county was erected by General Wayne in 1794.

Ft. Loramie in Shelby county was a trading post as early as 1750, and was destroyed by General George Rogers Clark in 1782. A fort was erected at this point by General Wayne in 1794.

Ft. Amanda in Allen county, was built by General Harrison in 1812.

Ft. Meigs in Wood county, was built by General Harrison during the winter of 1812-1813.

Ft. Stephenson, at Fremont, was erected during the war of 1812.

5. What population was required to entitle the territory to a legislative assembly? When was the first election held?

The Ordinance of 1787 stipulated that when the population of the territory included five thousand free male inhabitants of full age, the district should receive authority to elect representatives to a general assembly. The first election was held on the third Monday of December, 1798, when 22 members of the lower house were chosen. These met at Cincinnati and submitted a list of ten names from which President Adams selected five to constitute a council, or upper house.

6. Who made the laws previous to this date? What name was given to the first code of laws?

Previous to the legislative assembly in 1799, the laws were made by Governor St. Clair and the three territorial judges. These laws were taken

largely from the laws of the states, Pennsylvania laws predominating. The first of these early laws printed in the territory were printed by William Maxwell, of Cincinnati, in 1796, and were known as the Maxwell Code. This is said to have been the first book printed in Ohio. Maxwell also printed the first newspaper issued in Ohio, the "Centinel of the Northwest Territory." The first copy appeared November 9, 1793. The oldest paper now published in Ohio is the Scioto Gazette, of Chillicothe, which was founded not later than 1800, and probably in 1796.

7. Into how many states could the Northwest Territory be divided? What population was required to entitle a subdivision to admission to the union? Did Ohio have the required population when admitted?

Congress reserved the authority to create not less than three nor more than five states from the Northwest Territory. Article V of the Ordinance describes in general terms the boundaries of these proposed states, but slight changes in the boundaries were made later when the states were admitted. The restriction to five was not followed to the letter, as part of the Northwest Territory is included in the limits of Minnesota.

A population of 60,000 in any of the proposed divisions of the Northwest Territory entitled that subdivision to admission to the Union as a state.

Ohio did not have the required population when admitted. The population in 1800 of Ohio and part of Michigan, as shown by the census, was 45,365. The population of Ohio in 1803 was estimated at 47,981, but probably exceeded this total. That the population was increasing rapidly is shown by the fact that the census of 1810 showed a total population of 230,760.

8. What caused the great unpopularity of Governor Arthur St. Clair? Name six noted leaders of the opposition to St. Clair and three leading supporters.

Governor Arthur St. Clair was a gallant commander in the Revolution, and his generous contribution of time and means to the cause of independence reduced him to penury. His appointment as Governor of the Northwest Territory was unfortunate, both to himself and to the territory. His military training had not fitted him for the important duties of his new position. St. Clair was a graduate of the University of Edinburgh and aristocratic manners and imperious methods were not popular in a backwoods community. His exercise of the veto power and the lack of wisdom in many of his appointments ruined his usefulness and rendered him obnoxious to the liberty-loving citizens of the new territory.

His chief opponents were Edward Tiffin, Nathaniel Massie, Thomas Worthington, Jeremiah Morrow, Return Jonathan Meigs, John Cleve Symmes, Thomas Kirker and William Creighton. His most prominent supporters were General Rufus Putnam, Judge Jacob Burnet and Ephraim Cutler. This was the first great political contest in Ohio.

9. Were county, township and village officers elective under territorial government?

The Ordinance of 1787 gave Governor St. Clair authority to appoint civil officers of counties, townships and towns. This was another of the very serious defects of that ordinance. His arbitrary erection of new counties without consulting the legislative assembly caused resentment and resulted in a bitter controversy with the chosen representatives of the people.

- 10. Give the place where held, the date, length of session and number of members of Ohio's first constitutional convention. Was this constitution submitted to the people for ratification? Give the exact date when Ohio became a state.**

The first constitutional convention consisted of 35 members and met at Chillicothe November 1, 1802, and completed its labors on November 29th, being in actual session but 25 days. Several men of marked ability were members. Some of the most noted were: Putnam and Cutler, of Washington; Tiffin, Worthington and Massie, of Ross; Byrd, Morrow and Smith, of Hamilton; Huntington, of Trumbull; Kirker of Adams; and Sargent of Clermont.

The constitution drafted by this convention was not submitted to the voters for ratification. This course was not unusual a century ago. The first constitutions of 21 states were not submitted to a vote. Among this number were Kentucky, Indiana, Illinois, Tennessee and Missouri.

There has been a great diversity of opinion as to when Ohio became a state. It is now generally agreed among historians of that period that the date of the meeting of the first state general assembly on March 1, 1803, is the real date on which Ohio became a state. The laws of the U. S., vol. 4, p. 4, show that the national congress regarded that date as the beginning of statehood and the delegate in congress retained his seat until that date and the acting governor, Byrd, received pay until March 1st, 1803.

- 11. After Ohio's admission, was the remaining part of the territory still called the Northwest Territory? Who became its governor? Where was its capital?**

On May 7, 1800, an act of Congress was signed by President Adams by which the Northwest Territory was divided into two territories by a line from a point below Cincinnati opposite the mouth of the Kentucky, north to the Canadian boundary. The eastern division (Ohio and part of Michigan) retained the name Northwest Territory. The western division was named Indiana Territory with Vincennes as the seat of government. This separation was largely the result of the efforts of William Henry Harrison, the delegate to Congress. That he was personally interested is shown by his appointment as the first Governor of Indiana Territory. Ohio was never a territory under the name Ohio.

- 12. Into what ten counties was Ohio divided when admitted? Which one was unorganized and had no representation in the constitutional convention?**

Governor St. Clair divided what is now Ohio into ten counties, which were erected as follows: Washington in 1788, Hamilton in 1790, Wayne in 1796, Jefferson in 1797, Ross and Adams in 1799, Clermont, Fairfield and Trumbull in 1800, and Belmont in 1801. Wayne county was north of the Greenville treaty line, comprising the Indian reservation in northwestern Ohio and including part of Michigan.

Wayne had no representation in the constitutional convention of 1802.

- 13. What were the most objectionable features of the first constitution? Was this constitution ever amended?**

The most serious defect of the first constitution of Ohio was the granting to the legislature authority to appoint all state executive officers except governor, and all state, district and county judicial officers. Other objectionable features not so serious were depriving the governor of the veto power, preventing amendment of the constitution except by means of a constitutional convention and the recognition of property as a necessary qualification to vote or to hold certain offices.

The constitution of 1802 was never amended from its adoption till displaced by the constitution of 1851.

- 14. How many and what constitutional conventions have been held in Ohio? Who were the presidents of these conventions? How many constitutions has the state had during its history?**

There have been but four constitutional conventions in Ohio—1802 with Edward Tiffin of Ross, president; 1850-1 with William Medill, of Fairfield, president; 1873-4 with Morrison R. Waite, of Lucas, and Rufus King, of Hamilton, presidents; 1912 with Herbert Bigelow, of Hamilton, president. It is a remarkable coincidence that Edward Tiffin was the first governor elected under the constitution of 1802 and William Medill succeeded to the governorship during the first term under the constitution of 1851. Waite was appointed Chief Justice of the U. S. Supreme Court by President Grant and resigned as president of the constitutional convention.

Some of the noted members of the convention of 1851 were Charles Reemelin and W. S. Groesbeck, of Hamilton, J. R. Swan and Henry Stanbery, of Franklin, R. P. Ranney, of Trumbull, Ex-Governor Joseph Vance, of Champaign, Judge Peter Hitchcock, of Geauga, W. P. Cutler of Washington, Simeon Nash, of Gallia, Otway Curry, of Vinton, and Josiah Scott, of Harrison.

The following were among the prominent members of the convention of 1874: R. M. Bishop, George Hoadly and S. F. Hunt, of Hamilton, Thomas Ewing, of Fairfield, Judge William H. West, of Logan, Frank B. Pond, of Morgan, M. A. Foran, of Cuyahoga, and Peter Hitchcock, of Geauga. The latter was a son of one of the members of the convention of 1851.

Ohio has had but two constitutions—that of 1802 and the present constitution of 1851. The latter was adopted by a vote of 125,564 to 109,276, and the constitution submitted in 1874 was rejected by a vote of 102,885 to 250,169. The convention of 1912 submitted 42 amendments to the constitution of 1851, of which 34 were adopted.

- 15. Give the chief reasons for the holding of the second constitutional convention. What were the most objectionable features of the second constitution when adopted?**

The overshadowing consideration that induced the calling of a constitutional convention in 1850 was the overwhelming demand that the voters of Ohio be given the right to elect all state and local officers. In addition, the following reforms were advocated: limitation of the state debt, biennial sessions of the general assembly, prohibition of the passage by the general assembly of special acts of incorporation and of all laws of a general nature unless made of uniform operation throughout the state, reform of the

judicial system, abolition of all property qualifications required of office holders and voters, creation of the office of lieutenant governor, prevention of the state or any political subdivision from becoming a stockholder in any private enterprise, and taxation of all property by a uniform rule. All these provisions were incorporated in the constitution of 1851.

In at least two important particulars, succeeding general assemblies for forty years willfully ignored and disregarded the plain mandates of the constitution. One was in not holding biennial sessions and the other in the passage of vicious special legislation for certain towns and districts. All legislation of this character was declared unconstitutional by the Ohio Supreme Court in 1902.

The chief defects in the constitution of 1851, and they were very serious faults, consisted in leaving the people of Ohio at the mercy of corrupt general assemblies whose laws could neither be vetoed by the governor nor rejected by the voters, and in providing no adequate method of amending the constitution.

- 16. Who was the first governor of Ohio? What was his salary? Who were the first two United States senators from Ohio? Who was the first lieutenant governor of Ohio and when was he elected?**

Dr. Edward Tiffin, of Chillicothe, who came from Virginia and settled in Ross county in 1798, was Ohio's first governor, serving two terms. He had the unique distinction of being the only governor in the history of the state who was elected twice without opposition. Previously he had been speaker of the house in the territorial legislature and president of the constitutional convention. He later served in the U. S. Senate. He was probably the ablest statesman of that period of Ohio history. His annual salary was \$900.00.

The salary of governor was raised to \$1000.00 in 1822. The salary of Ohio's governors never exceeded \$1500.00 from 1802 to 1852, when it was raised to \$1800.00. The famous Civil War governors of Ohio only received \$1800.00 per year. In 1865 it was changed to \$4000.00, in 1887 to \$8000.00 and in 1906 to \$10,000.00, the present salary.

The first Ohio General Assembly elected John Smith, of Hamilton, and Thomas Worthington, of Ross, as Ohio's first U. S. senators.

Ohio had no lieutenant governor under the constitution of 1802. Under the constitution of 1851 William Medill was elected in 1851 the first lieutenant governor of Ohio, and succeeded Governor Wood as governor when the latter resigned in 1853.

- 17. What state executive and judicial officers were elective under the first constitution? Was this "short ballot" satisfactory? What caused the bitter contest between the General Assembly and supreme court? Were county and township officers elective in the early years of the state?**

The governor was the only one of these officers that was not appointed by the legislature. Our forefathers of the year 1803 certainly enjoyed an ideal government if the "short ballot" cures all government ills, for their tickets contained only governor, senator, representative, sheriff and coroner. Strange that they were so dissatisfied with their little ballot! They could easily inform themselves as to the qualifications of all candidates, and certainly they would have no difficulty in placing responsibility for any "misfeasance, malfeasance or nonfeasance" in government. What unreasonable mortals we all are! Our ancestors fought for a half century following the

admission of Ohio to the Union to secure the right to elect state officers, judges and all local officers down to infirmity directors. They succeeded by the adoption of the Constitution of 1851 in making all state and local officers elective. Another half century has passed and we find voters just as jealous of this right as their forefathers, for in 1913 the short ballot amendment for state officers was defeated by a vote of 239,126 to 461,555, and the short ballot amendment for county and township officers by a vote of 217,875 to 449,493.

The historic effort of the Ohio legislature to remove from office Judge George Tod of the state supreme court and Judge Calvin Pease, presiding judge of the third common pleas circuit, began in 1808 and was caused by decisions rendered by the courts that the law of 1805, which gave justices of the peace jurisdiction without a jury in cases involving not over \$50.00, was unconstitutional. The U. S. constitution guarantees the right of trial by jury where the amount exceeds \$20.00. The decisions of the state courts were unquestionably correct, but the judges having been appointed by the legislature, the latter resented any interference with the supposed prerogatives of the creator by one of its creatures. Judge Huntington of the supreme court had concurred in the decision, but before trial could be had of impeachment proceedings before the senate, he had been elected governor in 1808 and resigned as judge.

In Ohio the house of representatives has the sole power of impeachment of state officers, but any such officer, when impeached, must be tried by the Senate, and it requires a two-thirds vote of that body to convict. In the trial of Judges Tod and Pease in 1809, the Senate voted 15 to 9 in favor of conviction in both cases. They were thus acquitted, as it required 16 votes to convict.

In Ohio, from its admission in 1803, township and town officers have been elective and such elections at first were annual. Of county officers, only sheriff and coroner have been elective from the beginning. The office of county commissioner was created and made elective in 1804 and a board of three members was authorized. The office of county auditor was created and made elective in 1824. County treasurers were at first appointed by the associate judges of each county, but were made elective in 1827. Clerks of court were appointed by the courts until the adoption of the constitution of 1851. Prosecuting attorneys at first were appointed by the supreme court but were made elective in 1833. Recorders at first were appointed for seven year terms by the associate judges in each county, but were made elective in 1831. Surveyors at first were appointed by the courts, but were also made elective in 1831. There were no probate judges in Ohio until authorized by the constitution of 1851. Under the constitution of 1802, such duties were performed by the associate judges of each county who were appointed by the general assembly.

18. Could a man without property who paid no taxes vote in Ohio during the first fifty years of the state's history?

Under the first constitution from 1803 to 1851, only white male inhabitants above the age of 21 years, residents of the state one year, who "had paid or were charged with a state or county tax" had the right to vote. It was unquestionably the intention to disfranchise every man without property. The property requirement as to holding office in the general assembly was more explicit. The constitution of 1802 said that a senator or representative elect, to be entitled to his seat, must have *paid* a state or county tax.

In 1826, in the Ohio House of Representatives, the right of Elijah Hayward, of Cincinnati, to sit as a member was contested on the ground that he was not a taxpayer. It was proved that he had not paid a state or county tax in the ordinary sense and all that prevented his expulsion was the fact that he had paid a license of five dollars for the privilege of practicing as an attorney. Elijah Hayward later was a member of the Ohio supreme court.

- 19. How many senators and representatives in the first General Assembly? Give length of term and time of meeting. What is the present membership of the General Assembly?**

The first general assembly consisted of 15 senators and 30 representatives, and met at Chillicothe, March 1, 1803. All succeeding legislatures under the constitution of 1802 met for their first regular session on the first Monday of December. Senators were elected for two years and representatives for one, and annual sessions were held. It was provided in the constitution of 1802 that until there were 22,000 voters in the state, the number of representatives should not be less than 24 nor more than 36. When the number of voters amounted to 22,000 or more, the membership should not be less than 36 nor more than 72. The number of senators could not be less than one-third nor more than one-half the number of representatives.

In the present general assembly there are 36 senators and 128 representatives. They each receive \$1000.00 per annum salary and weekly mileage to and from home of two cents per mile. The first general assembly was limited by the constitution to salaries of two dollars each for each day in session, and not to exceed two dollars for each mile going to and returning from the session. The first general assembly cost the state for salaries, mileage and clerk hire, a total of less than \$6,000.00. For the session in 1915 the salaries of employes alone were \$66,227.30 and the session cost the state for salaries, mileage and other expenses a total of \$262,074.48.

- 20. When were biennial sessions of the General Assembly first made mandatory by constitutional provision? When was this requirement first properly observed?**

Biennial sessions of the general assembly were made mandatory by the Constitution of 1851, but, with the exception of the year 1855, this provision was evaded by holding adjourned sessions the second year of each term. Why the law-making body of the state should be the last to obey the constitution is difficult to understand. Over forty years after the adoption of the constitution the general assembly decided to obey its injunction, and in 1894 appropriated for two years and no session was held in 1895. Since that date biennial sessions have been held and no legislature has re-assembled, except at the call of the governor. There have been only six extraordinary sessions of general assemblies at the call of governors in Ohio history—1835, 1890, 1902, 1909 and two extraordinary sessions in 1914.

- 21. How often were apportionments for members of the General Assembly made under the first constitution? How were populations determined on which to base these apportionments? How often and by whom are such apportionments now made? How are the ratios for senators and representatives found?**

Under the first constitution, from 1803 to 1851, apportionments for members of the general assembly were made every four years. This quad-

renial apportionment was based on an enumeration of voters in the state taken each fourth year. The first was taken in 1803 and showed 14,763 voters in the state. The total enumeration of voters in 1807 was 31,308.

The Constitution of 1851 provided for decennial apportionments based on the U. S. Census. The ratio for senators for each ten year period is found by dividing the total population of the state by thirty five and for representatives by dividing the population by one hundred. There are thirty-four senatorial districts in Ohio but, by reason of having less than half the required ratio which at present is 136,203, twenty districts are not entitled to one senator each and are combined for election purposes into ten joint districts with two districts in each.

The decennial apportionment is made by the governor, auditor and secretary of state. The present ratio for representatives is 47,671. There are fifteen counties with less than half this population, but under the constitution every county has at least one representative. The total population of Vinton, Pike and Geauga is 43,489, or not sufficient for one representative, but each under the constitution has a representative.

If a senatorial district or county has an excess of population over the ratio for senator or representative, and if this excess multiplied by five (the number of legislative terms in each ten years) equals the ratio or two or more ratios, such district or county is entitled to one or more additional members for one term each in the ten year period. For this reason the membership of general assemblies varies slightly in total numbers during the ten year period. Under the present census the apportionment is as follows: 80th General Assembly, elected 1912, senators 33, representatives 123; 81st, elected 1914, senators 33, representatives 123; 82nd, elected 1916, senators 36, representatives 128; for the 83rd, senators 33, representatives 124; for the 84th, senators 37, representatives 125.

- 22. When by constitutional amendment was each county given representation in the lower house of the General Assembly? Can any voter of Ohio be elected and serve in the General Assembly? Was the same true under the first constitution?**

The single legislative district amendment was adopted in 1903 by a vote of 757,505 to 26,497. This large majority was made possible by the Longworth Act which permitted parties to endorse amendments and print them affirmatively on the ballot.

Any voter, unless holding another office, is eligible to represent his district or county in the General Assembly.

Under the Constitution of 1802 a representative was required to be twenty-five years of age and a senator thirty years of age. Only tax payers could serve in the general assembly under the first constitution.

- 23. Can the boundaries of senatorial districts be changed by the legislature? Can the legislature change the boundaries of congressional and judicial districts?**

The boundaries of all senatorial districts are fixed in Art. XI, Sec. 7 of the Constitution of 1851, and cannot be changed by the legislature. Even a change in the boundaries of a county does not change the boundary of that senatorial district.

Since the adoption of our present constitution a part of Washington county was detached and united with Monroe county. Washington is in the 14th senatorial district and Monroe in the 19th district, but the voters of this

small tract transferred to Monroe county still vote for senator in the 14th district in spite of the fact that there are less than 150 voters in the tract, and it causes great annoyance in the printing of ballots in Monroe.

Noble county is the only county erected since the submission of the present constitution. The constitutional convention adjourned March 10th, 1851. Noble county was erected March 11th, 1851, but, while the constitution was not adopted until June 17th, Noble is part in the 14th senatorial district and part in the 19th district, the part of Noble detached from Morgan and Washington voting in the 14th district and the part from Guernsey and Monroe in the 19th district.

The constitution provides that when any county forming part of a senatorial district acquires a population equal to a senatorial ratio it shall be made an independent senatorial district if a full senatorial ratio is left in the district from which it is taken. The only county in Ohio so separated since 1851 is Lucas. The populations of Franklin and Montgomery counties are sufficient to require separation from their districts, but cannot be so separated for the reason that a senatorial ratio would not remain in either senatorial district.

The legislature has the power to redistrict the state for representatives in Congress, and such political gerrymanders are of too frequent occurrence in Ohio history. The state was redistricted three times under the census of 1870 and four times under the 1880 census.

The legislature has the power to change the boundaries of appellate court districts and may create new districts, but the boundaries of common pleas districts are fixed by the constitution of 1851. This latter provision is rendered of little importance by the amendment adopted in 1912 giving every county at least one common pleas judge.

24. Can the governor order a legislature to adjourn? Has this ever occurred in Ohio? Can an appropriation bill originate in the Ohio State Senate?

Like the Constitution of 1802, the present Constitution confers on the governor the power to adjourn the general assembly when the two houses fail to agree as to the time of adjournment. This authority has never been exercised by any Ohio governor.

An appropriation bill may originate in either branch of the General Assembly, but by custom they usually originate in the lower house. In the national congress all appropriations must originate in the House of Representatives.

25. Into what three branches were Ohio courts divided under the first constitution? Of how many members did the first supreme court consist? What is its present membership? Give the length of term and salaries then and now.

The judicial power of the state under the first constitution was vested in a supreme court, courts of common pleas and justices of the peace. The supreme court consisted of three members appointed by the legislature for terms of seven years, and their salaries were \$900 each. The supreme court now consists of a chief justice and six judges. They are elected for terms of six years each. The chief justice receives \$7,000 per annum and the other six members \$6,500 each.

26. Did the supreme court under the first constitution hold court outside the state capital? Did it preside in ordinary criminal cases tried to a

jury? Does the supreme court now preside in any cases where juries are used?

The supreme court under the first constitution was required to hold court at least once each year in every county of the state. Divorce cases and criminal cases where the punishment of the crime alleged was death could not be tried before the common pleas court but must be heard by the supreme court. Murder, under present laws, is the only capital crime but laws were more drastic in pioneer days. The law passed January 15, 1805, authorized the death penalty for the following additional crimes: rape, arson and malicious maiming of another person. Under that law a man who maliciously put out an eye of another or burned his neighbor's house or barn and thereby endangered life could be put to death.

The supreme court under the first constitution was engaged a large part of the time each year in presiding in cases tried to juries. There are at present no trials by jury in the Ohio Supreme Court.

27. Under the first constitution could cases from justices' courts be carried to the supreme court? Can such cases now be carried to the state's highest court?

Under the first constitution many cases tried before justices of the peace were carried up to the supreme court. Under the judicial amendment to the constitution adopted in 1912, cases tried before justices of the peace are not supposed to ever be carried to the supreme court. In rare cases where a constitutional question is involved it is possible for such a case tried in a justice's court to reach the supreme court, but in actual practice such a result seldom if ever occurs.

28. During the first half century of the state's history, were cases in common pleas court tried before a single judge? Name several noted Ohio attorneys previous to the Civil War.

The common pleas courts under the Constitution of 1802 consisted of one presiding judge who was a lawyer and traveled over a circuit, and three associate judges who were not lawyers. All were appointed by the legislature. The presiding judge could preside in any county in his circuit while the associate judges acted for a single county. Three former associate judges could render a decision contrary to the opinion of the lawyer presiding judge.

Among the able lawyers preceding the Civil War were Thomas Ewing, Salmon P. Chase, Henry Stanberry, Rufus P. Ranney, Joseph R. Swan, Allen G. Thurman, Chas. Hammond, Henry Brush and Thomas L. Hamer.

29. When was the circuit court created and when changed to the appellate court? Give the number of appellate districts, appellate judges and common pleas judges in Ohio, the length of terms and salaries of each. How can the common pleas and probate courts of a county be consolidated?

On October 9, 1883, an amendment to the constitution was adopted authorizing the establishment of circuit courts. From 1851 to 1883 a district court consisting of one judge of the supreme court and the common pleas judges of the district held one term of a district court yearly in each county. The duties of this district court and its successor, the circuit court, are now conferred on the appellate court which was created by constitutional amendment in 1912.

There are eight appellate districts with three judges each, and the salaries of each appellate judge is \$6,000 which is paid by the state. Under the new amendment granting at least one common pleas judge to each county, there are now 122 common pleas judges in Ohio, an increase of 20 by reason of the amendment. They receive \$3,000 each from the state and \$25.00 from their county for each 1,000 population, but their total salary cannot exceed \$6,000. They are elected for terms of six years each.

A county with less than 60,000 population may, by a petition of ten per cent. of the voters, call an election on combining the common pleas and probate courts of the county. If a majority vote in the affirmative, one judge shall preside over both courts.

30. What is meant by the term "common law?" Are such laws binding in Ohio? What is meant by the writ of habeas corpus? Who in Ohio has authority to suspend this writ?

Strange as it may appear, unwritten law constitutes by far the greater portion of that entire body of law by which our rights are regulated. One division of unwritten law is known as "common law." Written law is enactments by legislative assemblies. Common law is that made by judges, and it is an astounding fact that courts have made more law than parliaments, congresses and general assemblies. Common law is based on judicial decisions and the only records of such laws are found in the reports of such decisions, and commentaries and digests founded thereon. Questions often arise respecting which the written law contains no provisions and if the judge does not make a law to meet the emergency the wrong must go unpunished. If there be no precedent, he must consult public policy and the abstract principles of natural justice. Much of our common law is of English origin. A law library to thoroughly cover all common law would require thousands of volumes. One would imagine with the flood of written law enacted in recent years, the field for the application of common law would be very restricted, but such is not the case. We will have to endure several additional sessions of the general assembly before the output of written law will equal the accumulation of common law that has been handed down from past centuries.

The writ of habeas corpus is the right of every accused person to a prompt hearing by a court or jury, in advance of any order of imprisonment. Under the writ any person deprived of his liberty on demand by himself or another must be brought into court for a hearing as to the legality and justice of the detention. The federal constitution, Art. I, Sec. 9, says: "The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it." Art I, Sec. 8, of the Ohio constitution, which is a part of the bill of rights, is identical with the section of the federal constitution above quoted. It was held by Judges Marshall, Storey and others that the suspension of the writ of habeas corpus during an invasion or rebellion is a legislative power exclusively. During the Civil War such suspensions were made by President Lincoln. His right to do so was questioned and to avoid litigation over the matter Congress, March 3, 1863, passed an act authorizing the president to make such suspensions when necessary. The general assembly is the only power in Ohio that can authorize the suspension of the writ of habeas corpus, and this can be done only when there is an insurrection or a threatened invasion. The governor has no such power except as granted him by the general assembly. General A. E. Burnside, with headquarters at Cincinnati.

on April 13th, 1863, suspended the writ of habeas corpus in Ohio and arrested private citizens and had them tried by military tribunals. After the Civil War these acts by General Burnside were held unconstitutional by the U. S. Supreme Court. As Ohio was not in rebellion, every citizen had a right to a trial in a civil court. The right to the writ of habeas corpus was conceded first in 1215 by King John, of England, at Runnymede, when he granted Magna Charta.

31. Name some forms of amusement prohibited by law in the early history of the state that are now regarded as proper?

Public sentiment as to right and wrong changes radically from generation to generation. In the early days it was thought as proper for a grocer to sell intoxicating liquors as to sell pickled pork, and a general drunk with its attendant street brawls was considered highly decent and respectable on muster days. But small boys playing marbles on the streets, and rural rustics running their horses on the country highway were crimes that must not be permitted and such criminals must be apprehended and fined and imprisoned.

Here are some of the things considered crimes by our forefathers of Ohio and punished accordingly: keeping a ninepin alley in a public inn, fine \$10.00 to \$100.00; boxing at fisticuffs, fine \$50.00; exhibiting a puppet show, wire dancing, juggling or sleight-of-hand, fine \$10.00; bringing a pack of playing cards into the state, fine \$5.00 to \$20.00; traveling on Sunday, fine \$1.00 to \$5.00; playing a game of bullets (bowls) across a street of a town, fine 50 cents to \$5.00.

32. Has imprisonment for debt ever been lawful in Ohio? Were whipping posts and stocks ever used by officers of the law in punishing prisoners in Ohio? Were lotteries ever authorized by law in Ohio?

Imprisonment for debt was not only permitted under early Ohio laws, but was commonly practiced all over Ohio for nearly forty years following its admission in 1803. When the state senate convened in 1828 it was found that Senator Andrew Mack of Cincinnati was not present and inquiry brought out the fact that he was in jail for debt in his home town. The senate demanded his release, not on the ground that it was wrong to imprison one for debt, but that his detention was a violation of the special immunity from arrest of a member of the legislature and on that ground he was released, but no effort was made by that general assembly to repeal the law, in fact imprisonment for debt was not abolished in Ohio until 1838, and the law then passed was full of "excepts" and "buts".

Whipping posts and stocks were familiar instruments of punishment and torture in the county seat of every county in Ohio for a number of years after its admission. The law respecting crimes and punishments passed in 1805 had some peculiar provisions as to the number of stripes for various crimes. For attempted rape, 39 stripes were required, but if the offender stole a mule, 59 stripes were applied. In 1809 the criminal laws were amended and elaborated and the number of stripes for various crimes still further classified. It was not until 1815 that the whole brutal and repulsive practice was wiped out in Ohio forever by the repeal of every statute requiring the use of whipping posts in the punishment of crime. Another disgusting and demoralizing custom was eradicated in 1844 when public executions in Ohio were abolished. Electrocutation was substituted for hanging in 1896.

Lottery legislation originated in New England. Judge Burnet of Cincinnati introduced in the territorial legislature the first bill authorizing a lottery. It was defeated in the lower house. It was such an easy plan of getting money that the general assembly, jealous of so many, without permission, profiting in that way, in 1807 passed a law prohibiting all lotteries except those authorized by the legislature. The first attempt to improve the Muskingum river was by means of a lottery and funds to build one of the first bridges over that stream were secured in the same manner. Even churches were built by funds secured by the sale of lottery tickets. The demoralizing practice was never generally popular in Ohio, and was opposed by many leading citizens from the beginning. Lotteries continued in Ohio, to some extent, until 1830, when they were abolished by law. A prohibition of lotteries was placed in the Constitution of 1851.

- 33. Could a wife hold property in her own name in Ohio a century ago? When were Ohio women first permitted to vote at school elections? Was a woman with property ever exempt from taxation in Ohio?**

For many years after Ohio became a state the laws of Ohio and the teachings of Holy Writ agreed in one particular—that the husband and wife are one—and the Ohio laws made the husband that one. He not only acquired through marriage absolute control of all property previously owned by her, but owned her as well. It was not until 1861 that married women acquired legal right to hold property in their own names and dispose of the income from same and it was eighty years before the law makers recognized her as human, and in 1884 granted her the right to sue and be sued. Women were granted the right to vote at school elections in 1896, but they have never been denied the right to pay taxes. Our forefathers rebelled against the mother country because of taxation without representation, but their descendants seem to see no incongruity or inconsistency in inflicting the same injustice upon self-supporting women who are tax payers.

- 34. What do the terms "Great Seal" and "Coat of Arms" signify? What historic mountain is represented on the state seal? Has the device on the seal ever been changed? Has Ohio a law designating a state flower? Has Ohio a state flag?**

The Great Seal of Ohio is an engraved stamp for making an impression on public documents. It is an evidence of the genuineness and authority of such papers. The Coat of Arms is the figure or device on the seal. The constitution of 1802 provided that there shall be a seal kept by the Governor to be called "The Great Seal of the State of Ohio." This provision was inserted without change in the Constitution of 1851. The legislature in 1803 passed a law authorizing the making of a two-inch seal to contain the following device: in the foreground a sheaf of wheat and a sheaf of 17 arrows with a mountain in the background, with the rising sun. The arrows indicated that Ohio was the seventeenth state admitted and the mountain and rising sun that it was the first state west of the Alleghenics. The mountain shown on the seal is Mt. Logan near Chillicothe. This law was repealed in 1805 and there was no new law passed to take its place until 1866. As a result, great seals of many sizes and devices came into use at various times. About the period of canal construction a canal with a canal-boat upon it became popular as part of the coat of arms.

The law of 1866 required so complicated a device that it made the

state seal ridiculous. That law specified that the coat of arms should contain a shield, sheaf of wheat, sheaf of arrows, mountain, rising sun, farmer supporting a shield, implements of labor, smith and anvil, railroad train and steamboat and that it include the motto "Imperium in Imperio." This law was repealed in 1868 and a new act passed re-enacting the original law of 1803 with the single change that a range of mountains be used instead of a single mountain. No change has been made since and as a result all seals in use in Ohio today contain the simple device so familiar to every Buckeye citizen and so appropriate for the use intended and the state it represents.

The scarlet carnation was designated by law in 1904 as the floral emblem of Ohio. This was done in honor of President McKinley.

The general assembly in 1902 adopted a state flag in the form of a pennant with 17 white stars in a blue field surrounding a white circle with a red center. There are three red and two white stripes. The white circle suggests the name "Ohio" while the 17 stars typify that it is the 17th state admitted and the red center represents a buckeye.

35. Which is the only state in the union with a constitution that says that all voters must be white?

The constitution of Ohio today says that to be a voter one must be a "white male citizen of the United States of the age of twenty-one years." This provision as to color was also incorporated in the constitution of 1802. This restriction is nullified by the U. S. constitution which in Article XV, the amendment adopted in 1870, grants the negro equal rights of suffrage with whites.

In proportion to population, Ohio did more to free the slaves than any other state in the union, but it has never by its vote expressed approval of the granting of the right of suffrage to the negro. This fact is rather peculiar and inexplicable for previous to the Civil War it was one of the most radical anti-slavery states in the nation, and since the emancipation of the slaves it has permitted negroes to enjoy every right of citizenship and suffrage without social disturbance or race feuds. But on every occasion on which negro suffrage has been submitted to a vote in Ohio the proposition has been defeated. An amendment to the state constitution eliminating the word "white" was submitted in 1867 but at the October election it was defeated by a vote of 216,987 to 255,340. The constitution of 1874 again eliminated the word "white" but at the special election August 18, 1874, the proposed constitution was rejected by a vote of 102,885 to 250,169. One more effort was made to remove the word "white" from the constitution when in 1912 forty-two amendments were submitted. The one eliminating the word "white" was defeated by a vote of 242,735 to 265,693.

Even in the general assembly the ratification of the 15th amendment to the federal constitution was defeated when first presented. This amendment, guaranteeing equal rights of suffrage to both races, was submitted by congress February 27, 1869, and was rejected by the Ohio legislature May 4, 1869. The succeeding legislature January 27, 1870, ratified the amendment but the majority in the senate was but one and in the house but two votes.

The change should be made as the present declaration in our constitution that only whites can vote in Ohio is ridiculous.

36. Why was the veto power denied the governor under the first and second constitutions? When was this power granted by constitutional amendment?

The abuse of the veto power by Governor St. Clair while Governor of Northwest Territory created such bitter resentment toward gubernatorial interference and opposition to the exercise of the veto in any form that when St. Clair's enemies secured control of the constitutional convention in 1802 they adopted the opposite extreme and deprived the governor of the state of all voice in legislation. Under territorial government the territorial legislature could not pass a bill over the governor's veto. Under the constitutions of 1802 and 1851 a governor could not veto a bill at all.

In the constitutional convention that drafted the constitution of 1851, a section giving the governor the veto power but permitting a majority vote in both houses to override the veto, was eliminated by a vote of 46 to 34. There was a provision granting the governor the veto power in the constitution submitted and rejected in 1874.

In 1903, the centennial year of statehood, an amendment to the constitution granting the governor the veto power was adopted by a vote of 458,681 to 338,317. To repass a bill vetoed by the governor a three-fifths vote of both houses is required. By such repassage it becomes a law notwithstanding the objections of the governor.

37. Can the governor of Ohio pardon any convict regardless of the crime committed? Are all sentences in Ohio now indeterminate as to length?

Under Article III, Section 11, of the Constitution of Ohio, the governor may pardon all convicts except those convicted of the crime of treason or cases of impeachment. Those convicted of treason can only be pardoned by the general assembly. The Board of Clemency, consisting of two members appointed by the governor, has no power to grant pardons, but can simply make recommendations to the governor and the latter is free to approve or reject such recommendations.

Convicts sentenced to the Mansfield Reformatory have never been incarcerated for a fixed time of imprisonment, but all such sentences have been indeterminate as to length. In 1913 a law was passed making all sentences to the Penitentiary indeterminate, except for the crimes of treason and murder in the first degree. Any term of imprisonment in the Penitentiary for any crime except the two mentioned may be terminated at any time by the Ohio Board of Clemency after the prisoner has served the minimum term provided by law for the crime committed. The governor may pardon the prisoner at any time but the Board of Clemency cannot grant a parole until the convict has served the minimum time prescribed by law.

38. What four citizens of Chillicothe became governor? What two governors died in office? What governor served three terms? What governors made four races for the office? Who was the first governor who was a native of Ohio?

Tiffin, Worthington, McArthur and Allen were all residents of Chillicothe. The former two served two terms each and all were U. S. senators except McArthur. Tiffin married Worthington's sister and Allen married McArthur's daughter. Adena, the Chillicothe home of Worthington, was the finest residence in Ohio when built and is still a noted landmark of Ross county. The McArthur home was called Fruit Hill.

Governor John Brough died in 1865 and Governor John M. Pattison in 1906.

Governor R. B. Hayes served three terms as follows: 1868-1870, 1870-1872, and 1876-1877. He resigned in February 1877 to become president.

There were three governors who made four races each for the office—Thomas Worthington 1808, 1810, 1814 and 1816; Allen Trimble 1822, 1824, 1826 and 1828; J. B. Foraker 1883, 1885, 1887 and 1889. The former two were elected on their third and fourth races, the latter was defeated on his first and last races.

Governor Wilson Shannon, who was born February 24, 1802, in Belmont county, was Ohio's first native to be elected governor.

- 39. What governor-elect was disqualified and not permitted to assume office? What father and son were governors? What Ohio governor was elected by the smallest plurality? What one by the largest?**

In the election for governor in 1807, Return Jonathan Meigs received 6050 votes and Nathaniel Massie 4757. Massie contested the election on the ground that Meigs had not been a resident of the state the preceding four years as required by the constitution of 1802. Meigs admitted that for a part of the time he had been a U. S. judge in the territory of Louisiana, but claimed that as it was a federal appointment it did not disqualify him and that for the entire period he regarded Marietta as his residence. Such a temporary absence would not today be considered a disqualification, but the general assembly by a vote of 24 to 20 decided that he was ineligible and called another election for the following year. Thomas Kirker, speaker of the senate, served as governor until another election was held. The succeeding general assembly elected Meigs U. S. senator. Meigs was again elected governor in 1810 and re-elected in 1812. There have been three changes in the history of Ohio in the year of election of governor. Such elections started in 1803 with the odd years. The Meigs disqualification changed the election to even years. The constitution of 1851 changed the year to odd years, which continued the rule until the constitutional change made in 1905. Thus there were gubernatorial elections in 1807 (a failure to elect) and again in 1808. There was one in 1850 and again in 1851. Pattison was elected governor in 1905 and the next election for governor was in 1908.

On the resignation of Governor Wilson Shannon in April, 1844, Thomas W. Bartley, of Richland, speaker of the senate, succeeded him as governor. At the October election following, his father, Mordecai Bartley, was elected governor. Both were residents of Richland county. The father was a Whig but the son was a Democrat. The son only lacked one vote of the nomination as the opposition candidate to his father and as the latter was elected by a plurality of only 1,271 over David Tod, had the son been nominated it might have resulted in the defeat of the father.

The smallest plurality ever given an Ohio governor was 311 for Seabury Ford over John B. Weller in 1848, the vote being 148,756 to 148,445. The largest plurality in the first one hundred years of state history was 101,098 for Brough over Vallandigham in 1863. In 1903 Herrick had 113,812 over Johnson and in 1910 Harmon had 100,377 over Harding. The record plurality of Ohio history was 166,823 in 1912 for Cox over Brown.

- 40. What Ohio man was governor, United States senator, secretary of the treasury and chief justice? Did Ohio ever have a Federalist governor? How many of the eighty-eight counties have never furnished a governor?**

There probably never resided in Ohio an abler statesman than Salmon P. Chase. He served as United States senator, 1849-1855, as governor, 1856-

1859, and was re-elected to the senate in 1860 but was soon after appointed by Lincoln secretary of the treasury and served 1861-1864. Lincoln then appointed him chief justice of the supreme court to succeed Taney. He served in this position from 1864 until his death in 1871.

Ohio elected two Federalist governors, Allen Trimble and Duncan McArthur, the former in 1826 and 1828 and the latter in 1830.

Twenty-five counties of Ohio have furnished governors and 63 have never been so honored. Hamilton furnished 11, Ross 4, Cuyahoga 3, Butler, Franklin Montgomery, Richland and Warren 2 each, and Adams, Belmont, Champaign, Clark, Clermont, Fairfield, Geauga, Hardin, Highland, Mahoning, Pike, Preble, Sandusky, Seneca, Stark, Trumbull and Washington one each. In this list Hayes is credited to two counties, having been elected from Hamilton twice and later from Seneca. Governor Willis was the 44th man to serve in the capacity of governor.

- 41. With what adjoining state was war imminent over a boundary dispute? When and how was this controversy settled? Where, as to the Ohio river, is the southern boundary located?**

The most serious controversy with an adjoining state in which Ohio has ever been involved was the Michigan boundary dispute in 1835. Michigan claimed the boundary mentioned in the Ordinance of 1787 which was a line drawn from the southern extremity of Lake Michigan due east to Lake Erie. This would have given Toledo and adjacent territory to Michigan. The Ordinance of 1787 reserved to Congress the authority to annex territory to Ohio north of the line described. The Ohio constitutional convention of 1802 fixed the position of the northern boundary by proper description in the constitution and this constitution was accepted by Congress and the state admitted. In this way the national government was committed to the boundary line claimed by Ohio.

Governor Mason, of Michigan Territory, in 1835, reopened the dispute and occupied the disputed territory with militia. Several skirmishes took place along the border and several Ohio citizens were captured and imprisoned by the Michigan authorities. Governor Lucas, of Ohio, called the general assembly in special session (the first special session called by a governor in the history of the state) and 10,000 state troops were arranged for to defend Ohio soil, and the legislature appropriated \$300,000 for the expected conflict, and authorized Governor Lucas to borrow \$300,000 more, if necessary. For a time it appeared that bloodshed was inevitable, but President Jackson ended the trouble by the removal of Governor Mason, and in 1836 Michigan was admitted as a state and compensated for her supposed loss by the addition of the upper peninsula to the new state. Very appropriately, Ohio named part of the disputed territory Lucas County.

The southern boundary of Ohio is low water mark on the Ohio side of the Ohio River.

- 42. Who was Blennerhassett? Who was governor of Ohio at the time of Burr's conspiracy? Is Blennerhassett island a part of Ohio? What United States senator from Ohio was forced by public sentiment to resign, and for what cause?**

Herman Blennerhassett was an Irishman born in England about 1764. He came to America and located at Marietta in 1797. He had been educated at Dublin, being a classmate of the famous Emmet. Before coming to

America he inherited \$100,000. About fourteen miles below Marietta, in the Ohio river near Parkersburg, is an island now known as Blennerhassett Island. It was at one time the property of George Washington. It contains 290 acres, and belongs to the state of West Virginia, being a part of Wood county. Blennerhassett purchased 170 acres on this island for \$4,500 and built and furnished the most palatial residence then in the west. For a description of this magnificent dwelling and its surroundings read Wirt's speech at the trial of Burr. Here the Blennerhassetts resided from 1799 to 1807. When Ex-Vice President Aaron Burr, after his defeat for president by Jefferson, made his historic trip down the Ohio, he spent some time at the Blennerhassett home and induced Blennerhassett to join in his expedition down the Mississippi. For this enterprise Blennerhassett had sixteen boats constructed at Marietta from 40 to 60 feet in length. When the treasonable character of Burr's undertaking was discovered, Governor Tiffin of Ohio, ordered the militia at Marietta to seize the boats. Burr and Blennerhassett hurried down the river toward New Orleans but were captured and taken to Richmond where they were tried and acquitted. Blennerhassett returned to his island to find that a flood had laid it in ruins. The property was never after occupied, the buildings being burned in 1811. Blennerhassett died in poverty in England in 1821.

While at Cincinnati in 1806, Burr was the guest of U. S. Senator Smith of Ohio. The legislature later demanded the resignation of Smith. He resigned in 1808 and was succeeded by R. J. Meigs. No one now believes that Smith was involved in the conspiracy.

43. What noted foreigner in early Ohio history visited this state and called it the eighth wonder of the world?

General Lafayette, of France, who fought in the American Revolution, revisited America in 1824-1825, or a half century after independence was declared. After visiting Kentucky, he arrived at Cincinnati in May, 1825, and was greeted by Governor Jeremiah Morrow and an assemblage of 50,000 people. He then ascended the Ohio by boat to Wheeling, making a stop to visit the French settlers at Gallipolis. He was accompanied from Cincinnati to Wheeling by Governor Morrow, and Ohio paid the expenses of the trip. At Cincinnati his surprise at the rapid growth of Ohio in Population and wealth caused him to refer to the young state as the eighth wonder of the world. Ohio at this time had 750,000 population. The population in 1820 was 581,434, being then the fifth state in population and exceeded by New York, Virginia, Pennsylvania and North Carolina. The population in 1830 was 937,903, or fourth, having passed North Carolina. In 1840, with a population of 1,519,467, it became third, having passed Virginia, and it retained that rank for fifty years until 1890 when it again became fourth, Illinois taking the third rank.

44. What towns have been the seat of state government? When were these changes made?

Chillicothe, Zanesville and Columbus are the only towns that have ever been the state capital. Chillicothe was the first state capital. The first state constitution provided that Chillicothe should remain the state capital until 1808. Soon after the expiration of this limit there developed opposition to continuing the capital at Chillicothe. A petition was received early in 1810 from Zanesville requesting the removal of the capital to that city and agree-

ing that such change would be made without expense to the state. In December, 1810, the seat of state government was changed temporarily to Zanesville where it remained two years. A state commission consisting of James Finley, Joseph Darlington, William McFarland, Willys Silliman and Rezin Beall was named by the legislature to seek a permanent location for the capital. Nine sites were offered, one in Delaware, two in Pickaway and the others in Franklin county. The recommendation by the Commission that Delaware be selected was rejected by the legislature and the offer of the present site in Columbus was accepted on February 14, 1812. This offer was made by Lyne Starling, Alex. McLaughlin, John Kerr and James Johnson of Franklinton (now part of the west side of Columbus), who agreed to donate two tracts of ten acres each for the Capitol building and the penitentiary and erect buildings for both purposes at a total cost to the donors of not to exceed \$50,000. The penitentiary was built first, law breakers being provided for before lawmakers. The legislature also provided that until the new state house was ready for occupancy, Chillicothe should be the temporary capital. The legislature met at Chillicothe December 7, 1812 and the capital remained there until 1816. The first session of the general assembly in Columbus met December 2, 1816. While Columbus was selected as the permanent state capital in 1812, yet as late as 1840 there was a proposition before the legislature to remove the seat of government from Columbus.

The old state house which stood on the south-west corner of the Capitol grounds and was burned in 1852 had a stone above the entrance with the following inscription from Barlow's Columbiad carved on its face:

"The equality of right is nature's plan,
 And following nature is the march of man;
 Based on its rock of right your empire lies,
 On walls of wisdom let the fabric rise.
 Preserve your principles, their force unfold,
 Let nations prove them, and let kings behold.
 Equality your first firm grounded stand,
 Then free elections, then your union band;
 This holy triad should forever shine,
 The great compendium of all rights divine.
 Creed of all schools, whence youths by millions draw,
 Their theme of right, their decalogue of law,
 Till man shall wonder (in these schools inured)
 How wars were made, how tyrants were endured."

45. How was a business organization incorporated under the first constitution?

Under the Constitution of 1802 every act of incorporation, whether for profit or otherwise, was by a special law passed by the general assembly. These special acts of incorporation occupied much of the time of the legislature in early Ohio history. If the patriotic society of skunk hunters of Weasel township wished to incorporate, the general assembly had to pass a special act granting such articles of incorporation. The legislature under the first constitution spent most of its time passing acts of a local nature and performing certain functions that are today constitutionally prohibited. Divorces were often granted by the legislature; in fact, until 1851 divorces

could not be granted by the common pleas court, but only by the supreme court or the general assembly. All articles of incorporation are now issued by the secretary of state under general laws of uniform application throughout the state. The Constitution of 1851 abolished the old evil of granting special privileges to favored corporations. Article XIII, Sec. 1, says: "The general assembly shall pass no special act conferring corporate powers."

- 46. What important change in Ohio elections was made in 1886? When was the Australian ballot first used in Ohio? When were all nominating conventions abolished in Ohio?**

In 1885 three constitutional amendments were adopted changing state, district and county elections from October to November. These amendments, by being printed affirmatively on all party ballots, were adopted by over 480,000 majority, there being less than 55,000 opposition votes. The first state election in November was held in 1886. This change eliminated a great amount of disreputable political methods which had been practiced at October elections presidential years to influence the national election one month later.

The Australian ballot, which originated in South Australia in 1856 and was adopted in Massachusetts in 1888, was first used in Ohio in the fall of 1891. The present form is unsatisfactory. We will never have intelligent, discriminating voting until the party emblems are removed from the ballot and every voter is compelled to vote for the man and not the party.

All nominating conventions were abolished in Ohio by the adoption in 1912 of the Direct Primary Amendment. The one public act in the life of the author of this publication "Ohio Interrogation Points" of which he is justly proud was in being the "father" of the Direct Primary Amendment. Previously, the politicians selected the candidates, now all candidates are selected by the people. The last nominating conventions were held in 1912. The first state conventions to adopt platforms alone were held in 1914.

- 47. Why was the date of regular elections by the act of January 23, 1845, fixed for Tuesday after the first Monday in November instead of the first Tuesday? In what municipalities is registration required? Are voters in all cities required to register annually?**

Had the regular election been fixed for the first Tuesday of November it would sometimes occur on the first day of November, which is All Saints' Day, an important feast day in certain churches. By holding elections on Tuesday after the first Monday it is impossible for elections to occur on All Saints' Day.

Registration of all voters is required in all cities in Ohio having 11,800 or more population by the last Federal census. In such cities, those having less than 100,000 have general registrations every four years, while all cities of 100,000 or more population have annual registrations.

Such registrations are a needless and useless expense, and are maintained to furnish employment on registration days to certain party workers. Registration lists should be perpetual and changes should be made only on removal or to add the names of new voters. The change indicated would save from \$50,000 to \$100,000 annually.

- 48. What is the distinction in Ohio between a city and a village? How many cities in the state by the census of 1910? Can a village be incorporated in spite of opposition by a majority of its voters?**

When the supreme court in 1902 declared all special acts as to the government of particular municipalities unconstitutional, it forced the calling of a special session of the general assembly, to pass general laws as to city and village governments applicable to all the municipalities of the state. The municipal code of 1902 divided all municipalities into two classes—cities and villages—and made a population of 5,000 the division line. Towns of less than 5,000 population are villages. By the census of 1910 there were 82 cities in Ohio. Since 1910 Madisonville has been annexed to Cincinnati and Newburgh to Cleveland, reducing the number of cities in Ohio to eighty. Over half the population of the state is in these eighty cities, their total in 1910 being 2,624,185 out of 4,767,121 in the whole state. From 1900 to 1910 there was a decrease in the total population of the state outside these eighty cities.

Villages may be incorporated either by the county commissioners or the township trustees when petitions are presented asking for such incorporation. If the petitions are presented to the trustees the latter must submit the proposition to a vote. If a petition of thirty electors or more is presented to the county commissioners, the latter may grant same without a vote. The commissioners may be enjoined from granting the incorporation but when such injunction proceedings are heard in court, the latter can approve the act of the board of commissioners without permitting a vote.

- 49. Which is the oldest county in Ohio? What portion of the present state did it originally comprise? What and when was the eighty-eighth county organized? Which is the largest county and the smallest county in Ohio? What is the highest point of land in the state?**

Washington county, organized July 27, 1788, is the oldest county in Ohio. It at first embraced nearly one-half of the present state and included all eastern Ohio as far west on Lake Erie as the present city of Cleveland. Its western boundary was the rivers Cuyahoga, Tuscarawas and Scioto. Hamilton county was organized second.

The last county created was Noble, March 11, 1851. It was formed from portions of Monroe, Washington, Morgan and Guernsey.

Ashtabula with 723 square miles is the largest county and Lake with 241 square miles is the smallest. There are eight counties with over 600 square miles—Ashtabula, Licking, Ross, Muskingum, Trumbull, Washington, Scioto and Wood. There are three with less than 300 square miles—Lake, Erie and Ottawa.

The highest point of land in Ohio is a hill near and east of Bellefontaine. Its elevation above sea level is 1550. The lowest land in the state is in Hamilton county, about 420 feet above sea level. Lake Erie is 564 feet above the sea. Marietta and Cleveland are at the same level.

- 50. How can a new county be created? How many square miles must it contain? Who has authority to create a new township? What county officials can serve only two terms in succession?**

Article II, Sec. 30, of the constitution, says: "No new county shall contain less than 400 square miles nor shall any county be reduced below that amount." But it provides an exception that a county of 100,000 or more inhabitants may be divided if each division contains 20,000 or more inhabitants.

The general assembly has power to create new counties, but the matter must be submitted to a vote in all counties affected by the change.

Townships may be created by the county commissioners when petitioned for by a majority of the *householders* in the townships affected. No township shall be created with less than 22 square miles nor shall any township be reduced below that size unless it contains a city or village corporation.

Article X, Sec. 3, of the Constitution limits county treasurers and sheriffs to four years in any period of six years. They cannot serve three terms in succession.

- 51. When, where and by whom was the Greenville treaty line established? What was the only great treaty made with Ohio Indians after the admission of the state? When and by whom was this treaty made and what were its provisions?**

The Greenville Treaty was made by General Wayne, August 3, 1795, with Tarhe, Blue Jacket, Little Turtle, and other Indian chiefs representing the Wyandot, Delaware, Shawnee, Miami, Ottawa, Chippewa, Pottawatamie and other tribes. There were 1,130 Indians present at the great meeting in the present county of Darke. The boundary between the whites and Indians, known as the Greenville Treaty Line, was established starting with the mouth of the Cuyahoga and following that stream and the Tuscarawas to near Ft. Laurens, thence in a westerly direction to Ft. Recovery in Mercer county, thence south to the Ohio river near the present Indiana line. For the territory south and east of this line, comprising two-thirds of Ohio, the Indians received \$20,000.00 in goods and \$9,500.00 annually for five years. The Greenville treaty was made possible by Wayne's great victory at Fallen Timbers in 1794.

The most notable treaty with the Indians made in Ohio after its admission was the treaty at Maumee Rapids (Perrysburg, Wood County) made September 29, 1817, by which most of the territory north and west of the Greenville treaty line was ceded by the Indians.

Several other treaties were made with Ohio Indians after 1803. The most important were the following:

The treaty at Ft. Industry (Toledo) July 4, 1805, by which the Indians ceded all the Western Reserve west of the Cuyahoga River, including the Fire Lands and all the region to the south, east of a line running from the west boundary of the Fire Lands south to the Greenville Treaty Line.

The treaty of Detroit, November 17, 1807, by which the Indians ceded the land north of the Maumee as far west as the mouth of the Auglaize.

The second treaty of Greenville, following the War of 1812, made by Harrison, Cass and Shelby, January 22, 1814, which secured peace with the Indians but gained no new territory.

The great treaty at Maumee Rapids, already mentioned, made by Generals Cass and McArthur, September 29, 1817, by which the Wyandot, Seneca, Shawnee, Pottawatamie, Chippewa and Delaware Indians ceded all remaining territory in Ohio except a tract along the Indiana line north of the Greenville Treaty Line and a few small reservations from three to twelve miles square scattered over northwestern Ohio.

The treaty at St. Mary's, October 6, 1818, by which the Miami Tribe ceded the tract along the Indian Line above mentioned. The small reservations granted by the Maumee Rapids treaty were ceded by the Indians later at various dates up to 1842.

- 52. Name six famous Indian chiefs that resided in the present limits of Ohio. Name the most noted Indian ever born on Buckeye soil. When**

was title acquired from the Indians for the last reservation held in the state? Give the name of this tribe, the date of its departure from the state and the place of its final settlement.

About the time of the first settlement, Ohio was occupied by a number of Indian tribes. Southeastern Ohio was claimed by the Shawnees. The Miamis occupied southwestern Ohio. The Mingo were in the extreme east and were outlaws from the Senecas. The Delawares were located on the Tuscarawas and their relatives, the Wyandots, in northern Ohio. The Ottawas, Hurons and Chippewas were in the northwest and the Cherokees in the south. Most of these tribes were Algonquins, but the whole region was claimed by the warlike Iroquois of the northeast.

The most noted Indian ever born within the limits of Ohio was Tecumseh, who was a Shawnee, born at Piqua in 1768 and was killed by Colonel Johnson (afterward Vice President) at the battle of the Thames in Canada in 1813.

There is not a proper appreciation among pupils of Ohio schools and colleges of the ability and many noble traits of character of some of the famous Indian chiefs who fought for their rights to Buckeye soil, from Pontiac's conspiracy in 1763 to Tecumseh's death in 1813—a perilous and bloody half century. These great leaders of their race possessed as exceptional military genius as did Lee, Grant, Jackson, Thomas and Sheridan. Every right-thinking American citizen honors the memory of men of extraordinary endowment of every race who defended their homes and valiantly contended for what they believed to be right. Pontiac, Cornstalk, Tarhe, Joseph Brant, Logan, Little Turtle, Blue Jacket and Tecumseh were all men of great intellect, and most of them were heroes worthy to rank with the greatest generals of all the ages.

The following famous Indian chiefs were leaders in many a conflict on Buckeye soil:

Pontiac, an Ottawa, born in Ohio at the mouth of the Auglaize in 1720, was present at the destruction of Braddock's army. Pontiac's conspiracy of 1763, resulting in the uprising of many tribes and a number of shocking massacres, was probably the most terrible Indian war ever waged around the Great Lakes. He made peace in 1765 and was assassinated by an Indian in 1769.

Cornstalk was a Shawnee born in 1720, the year of Pontiac's birth. In his battle with General Lewis at Pt. Pleasant, West Virginia, October 10, 1774, during the Dunmore war, where his 1,000 braves were overpowered by 1,100 Virginia volunteers, he exhibited such skill in handling his followers that he gained the respect of his white foes. He was treacherously murdered by the whites in 1777 at Pt. Pleasant when on a mission of friendship. He is now honored by a statue at the place of his assassination.

Joseph Brant, a Mohawk, 1742-1807, who became the chief of the Six Nations, was educated at Lebanon, Connecticut, where he became acquainted with and formed an attachment for Louisa St. Clair, daughter of Governor St. Clair, and his later cruelties in the Indian wars were said to have resulted from his unsuccessful quest for the hand of the fair Louisa.

Logan, the Mingo, born in 1725, resided for many years near the present town of Circleville. His sister and other relatives were massacred at Yellow Creek. He became embittered toward the whites and blamed Cresap, but Greathouse and not Cresap was the guilty white leader. The elm under which Logan is supposed to have delivered the famous speech

so familiar to every schoolboy is today a noted landmark of Pickaway county. Logan was killed by a nephew in 1780.

Little Turtle, a Miami, 1752-1812, as a warrior and later as a loyal citizen, ranks as one of the noblest characters of his race. He exhibited great skill in the battles in which he inflicted humiliating defeats on General Harmar on the Miami in Montgomery county, October 22, 1790, and on Governor St. Clair at the present site of Ft. Recovery in Mercer county, November 4, 1791. He took part in the battle with Wayne at Fallen Timbers and in the Greenville treaty, and never again broke faith with our government.

Blue Jacket, a famous Shawnee chief, was the leader of the Indian forces in the battle with Wayne at Fallen Timbers in Lucas county, August 5, 1794. Little Turtle opposed continuing the war after St. Clair's defeat and was succeeded in command by Blue Jacket. The latter was one of the chiefs who signed the Greenville treaty.

Tarhe, called Crane by the whites, was a Wyandot, 1742-1818. He fought at Pt. Pleasant and in the battles in northwestern Ohio, including Fallen Timbers, and was one of the signers of the Greenville treaty. He later opposed Tecumseh's uprising and fought under Harrison against Tecumseh at the battle of the Thames. General Harrison praised Tarhe's faithfulness and stated that he was the noblest of all the Indians.

Tecumseh, the most noted Indian chief in American history, was a Shawnee. His father was killed at Pt. Pleasant and a brother at Fallen Timbers. The disastrous defeat of his brother, the Prophet, at Tippecanoe by Harrison November 7, 1811, was due to the absence of Tecumseh in the south. Tecumseh fought at the Raisin and opposed the massacre. He was with General Proctor at the sieges of Ft. Meigs and Ft. Stephenson and he compelled General Proctor to stop his retreat in Canada and fight the battle of the Thames where Tecumseh was killed. He was the last great Indian chief in the region of the Great Lakes.

By a treaty by Col. John Johnson, for many years an Indian agent in northwestern Ohio, made March 17, 1842, with the Wyandot Indians, that tribe agreed to cede their lands, a tract 12 miles square in what is now Wyandot county, and move to the Indian Territory. The Wyandots, once a numerous tribe, had less than 800 members at that time. It was the last tribe in Ohio and the removal to its new reservation in the Indian Territory occurred in July, 1843.

- 53. Did Ohio ever require the military training of every able bodied man as is now the rule in Europe? How many times has the state been invaded by hostile forces? What was the most noted battle in Ohio since the admission of the state?**

In the early years of the state the laws required every able bodied man of the age subject to military service (18 to 45 years) to arm himself with rifle, bayonet, knapsack, ammunition and two extra flints and meet at least four times each year with his company for training and once each year with his regiment. Quakers and others conscientiously opposed to bearing arms could be excused by paying three dollars yearly for the use of the regiment.

The state was invaded by hostile forces in the War of 1812 and the Civil War. In 1813 General Proctor with a British force accompanied by a large body of Indians under Tecumseh invaded northwestern Ohio and laid siege to Fort Meigs on the Maumee in Wood county which had been

built and was defended by General Harrison. The first siege lasted from April 27th to May 9th and the second from July 20th to July 28th. The British were repulsed in both attacks. The massacre of the relief party of 800 Kentuckians under Colonel Dudley, near Ft. Meigs, occurred during the first siege. Proctor and Tecumseh then descended to the lake and ascended the Sandusky to where Fremont now stands and laid siege to Ft. Stephenson which was defended by Major George Croghan, aged 21, with 160 men. Proctor had 800 British and Tecumseh 2,000 Indians. The siege occurred August 1st and 2nd and resulted in a bloody repulse of the enemy, Croghan losing but one man. This was one of the most notable successes on land during the war.

During the Civil War General John Morgan invaded the state with a force of about 2,000. He entered the state at Harrison, in Hamilton county, July 13, 1863. He marched through Hamilton, Clermont, Brown, Adams, Pike, Jackson, Vinton, Athens, Gallia and Meigs. He attempted to cross the Ohio at Portland but was prevented and turned north, crossing the Muskingum at Eagleport in Morgan county and proceeded northeast and was finally captured July 26th near Salineville in Columbiana county.

The most noted battle within the limits of Ohio was the victory of Oliver Hazard Perry near Sandusky on Lake Erie, September 10, 1813. Perry had nine vessels with 55 guns and the British six vessels with 63 guns. There were about 500 men on each fleet. In the midst of the battle, Perry's flagship Lawrence becoming disabled, he rowed in a boat to the Niagara and continued the fight until every vessel of the enemy surrendered. This notable victory cleared the lake of the British and made possible the invasion of Canada by the American army.

54. How many soldiers did Ohio furnish to the War of 1812, Mexican, Civil and Spanish wars? Give the commanders of the three regiments enlisted in Ohio by General Meigs for service in the war of 1812.

Ohio has taken the front rank in patriotism in every war since the Revolution. In the War of 1812 she contributed 23,951 volunteers, or one-third of all males in the state over 21 years of age and over half those subject to military duty. This body of brave Ohio soldiers was 15 per cent. of the entire military forces of the United States that were engaged in the war. In the Mexican war her record was equally honorable for she contributed 5,500 volunteers out of 56,926 furnished by all the states. This was in excess of any other northern state. Many thousands more of Ohio citizens offered their services but were not required.

In the Civil War Ohio's record was unequalled, for in addition to furnishing nearly half the prominent Union commanders, she contributed 340,000 of the 2,668,000 soldiers in the northern armies. The great state Massachusetts, the cradle of liberty, the source and center of abolition sentiment, only furnished 146,000. Lincoln in 1860 received 221,809 votes in Ohio. Many of these voters were from 50 to 80 years of age and did not volunteer, yet Ohio furnished nearly 140,000 more soldiers than the total vote for Lincoln.

In the Spanish war, out of 200,000 volunteers furnished by all the states, Ohio furnished 15,200.

Ohio's three regiments in the War of 1812 were commanded by Duncan McArthur, James Finley and Lewis Cass. The latter later located in Michigan and was a candidate for president in 1848 against Taylor.

- 55. Name six noted Ohio officers in the Mexican War. Name twelve natives of Ohio who were famous Civil War generals. Name five such in the Spanish war.**

The most noted volunteer officer from Ohio in the Mexican War was Brigadier General Thomas L. Hamer, of Brown county, who died at Monterey, December 2, 1846. Other prominent volunteer officers were Colonels George W. Morgan, A. M. Mitchell and George W. McCook. Among the officers in the regular army who were natives of Ohio and who afterward became famous were U. S. Grant, W. T. Sherman, Don Carlos Buell and Irvin McDowell.

Among the noted Civil War generals who were natives of Ohio were U. S. Grant, W. T. Sherman, Phil H. Sheridan, William S. Rosecrans, James B. McPherson, O. M. Mitchell, Q. A. Gilmore, Irvin McDowell, George A. Custer, Don Carlos Buell, James A. Garfield and R. B. Hayes. There were 15 in the two noted McCook families of Carroll county that served in the Union armies and were known as the "Fighting McCooks." Several of these were prominent generals.

The following natives of Ohio were prominent in the Spanish War: Generals Henry W. Lawton, A. R. Chaffee, Fred Funston, Thomas McArthur Anderson, Henry C. Corbin and J. Warren Kiefer.

- 56. What Ohio Civil war regiment furnished a noted general, a member of the United States supreme court and two presidents? What famous prisons for captured rebels were located in Ohio?**

The 23rd Regiment O. V. I., which was organized at Camp Chase in June, 1861, and mustered out at Cumberland, Maryland, July 26, 1865, had as its first Colonel William S. Rosecrans. Later it was commanded by R. B. Hayes, with Stanley Matthews as Lieutenant Colonel. William McKinley was captain in the regiment. The regiment saw service at Antietam and was with Sheridan at Winchester.

One of the famous prisons for captured Rebels was located on Johnson's Island near Sandusky in Ottawa county. It was exclusively for officers and was opened early in 1862 and used till the close of the war. At times there were over 3,000 Confederate officers in this prison—sufficient to officer an army of nearly 100,000. Two hundred and sixty died and are buried on the island.

Camp Chase, west of Columbus, was also a prison for Rebel soldiers. The first Confederate prisoners were brought to Camp Chase July 5, 1861. The maximum number of prisoners was reached in 1863 when over 8,000 were confined at Camp Chase. Like all prisons north and south, many prisoners died of disease, exposure and from lack of care, proper food and sanitary conditions. There is a neatly kept Confederate cemetery at Camp Chase where 2,260 Confederates are buried.

- 57. Who were the Ohio Civil war governors, United States senators and cabinet officers? What Ohio man made possible the securing of sufficient funds by the national government to prosecute the Civil War to final success?**

The Ohio Civil War governors were William Dennison 1860-1862, David Tod 1862-1864, and John Brough 1864-1865.

The United States senators from Ohio were John Sherman and Benjamin F. Wade.

The Ohio men in Lincoln's cabinet were Salmon P. Chase, Secretary of the Treasury 1861-1864, Edwin M. Stanton, Secretary of War 1862-1865, William Dennison, Postmaster General 1864-1866.

Jay Cooke, of Philadelphia, who was born in Huron county, Ohio, August 10, 1821, did more to finance the Federal cause in the Civil War than any other man. In 1862 he furnished funds amounting to \$500,000,000. Public criticism of this method of selling bonds through private management caused the government to attempt to raise its own funds, but the effort failed and in January, 1865, Cooke was again given a contract to raise not less than \$2,500,000 daily. For nearly five months he furnished an average of \$5,000,000 daily, his record day's sale of government bonds being \$42,000,000.

- 58. What were the "Black Laws"? When were they passed and when repealed? What Ohio statesman was chiefly instrumental in their repeal? What laws in relation to the colored citizens of Ohio were passed in 1887?**

The famous Ohio "black laws" were passed in 1804 and amended and made more drastic in 1807. They were to regulate the admission to the state of black and mulatto persons and prescribed the manner in which they might become residents of the state. They had to produce a certificate from the court at their last place of residence showing that they were free. This had to be recorded by the clerk of the county and renewed every two years thereafter. No white man was permitted to harbor a black who could not produce such a certificate. Other requirements will be enumerated in the answer to question No. 60. These laws were repealed in 1849 largely through the efforts of Salmon P. Chase. The repeal bill was introduced by John F. Morse of Lake county.

Colored citizens were not given equal rights with whites until 1887. The law of 1887 repealed the law of 1853 requiring separate schools for blacks and the law of 1861 which prohibited the intermarriage of the races.

- 59. Has Ohio ever prohibited the intermarriage of the races? Were negroes permitted to vote in Ohio previous to the Civil War?**

The "Black Laws" of 1807 made it a penal offense for a black or mulatto to marry a white. For 80 years laws of the state made intermarriage of the races a crime punishable by fine and imprisonment and the judge who issued such a license and the minister or officer who solemnized the marriage were subject to a like fine and imprisonment. When the last of the obnoxious and unjust "Black Laws" were all finally repealed in 1887, the general assembly went to the opposite extreme and legalized the intermarriage of the races, a serious mistake that right thinking, intelligent citizens of both races now regret and regard as a legislative blunder.

Negroes were not permitted to vote in Ohio until the adoption of Article XV of the U. S. Constitution in 1870.

- 60. In the early history of the state, was a negro who paid school taxes permitted to send his children to a common school? Could a negro be a witness against a white? If a white sued a negro, could the latter testify in the case? What requirements were made of a free negro before he could settle in the state?**

The "Black Laws" of 1804 and 1807, which, with modifications, remained on the statute books of the state for many years, denied to negro children school privileges. In addition a negro could not sue a white, and if sued by a white, could not testify in his own behalf. He could not testify in court against a white. He could not move into any county unless he gave bond in the sum of \$500.00 that he would not become a public charge. If a black entered a county not having executed such a bond, he was placed in the custody of the overseer of the poor and his services for support were sold to the highest bidder, and this was repeated annually until bond could be furnished. We boast of the freedom guaranteed to all races by the Ordinance of 1787, but such freedom, so far as the negro was concerned, was largely imaginary in Ohio for many years after its admission.

- 61. Name six early Ohio agitators for the abolition of slavery. What were the most noted fugitive slave cases arising in Ohio? Did any Ohio general assembly ever seriously consider a proposition that Ohio secede from the union?**

Benjamin Lundy, of St. Clairsville, was the pioneer in Ohio of the abolition movement. He moved to Mt. Pleasant in Harrison county, where in 1815 he organized the first abolition society in Ohio. One of the prominent members of the society was the noted lawyer, Charles Hammond. Another member was Charles Osborn, of North Carolina, whose opposition to slavery made him an outcast. He located at Mt. Pleasant, the center of the movement in Ohio, and in 1817 started *The Philanthropist*, the first abolition paper in America. In 1835 James G. Burney, who was publishing an anti-slavery paper in Kentucky, was forced to move his plant to Cincinnati. On July 30, 1836, a mob destroyed his newspaper office and threw his presses into the Ohio river. He was the Liberty party candidate for president in 1841. Later Joshua R. Giddings, Benjamin F. Wade and Salmon P. Chase became the leaders of the anti-slavery movement in Ohio.

The Fugitive Slave Law was passed in 1850. The most famous fugitive slave case in Ohio was the Oberlin-Wellington rescue case at Oberlin. The parties arrested by the national authorities appealed to the Ohio supreme court, but that body sustained the law, the opinion being rendered by Judge Joseph R. Swan. The decision, while clearly correct, was very unpopular and as a result the Republican state convention a week later refused to renominate Judge Swan. Another noted case was the arrest and conviction of Rev. George Gordon, president of Iberia College. He was sentenced to imprisonment for six months but was pardoned by President Lincoln.

In the session of the general assembly in 1848-9 a petition from Portage and Stark counties was presented to the lower house asking that a state convention be called by the legislature for the purpose of seceding from the union because of the existence of slavery in the southern states and declaring that such union of the states is "voluntary" and that Ohio "clearly possesses the right to secede." This petition was considered for an entire day by the lower house. A motion that the petition be rejected was defeated by a vote of 15 to 47, and even a motion to lay on the table was rejected by a vote of 30 to 34. The anti-slavery members, who were in a majority, were in favor of giving the petition serious consideration and there was considerable sentiment in favor of its adoption. After many roll calls, all resulting in defeat to the group of members who believed the petition unworthy of consideration and should be ignored, the matter was referred

to a select committee of one consisting of Norton S. Townshend, of Lorain, whose report, which seemed to voice the sentiments of the majority, stated that "while there is little doubt as to the abstract right of the general assembly to make the recommendation prayed for, the legislature has no right to cause a separation. Secession is the exclusive prerogative of the sovereign state." The report stated that such a course by Ohio was inopportune at that time. So ended the only notable effort to cause Ohio to secede from the union.

- 62. What was the Lancasterian system of teaching adopted in Cincinnati and other early Ohio towns? Why was this method of instruction an obstacle to the establishment of our present school system?**

The Lancasterian school system was originated by Joseph Lancaster who was born in England in 1778. He inaugurated the system that bears his name about 1800. His scheme was to be the only paid instructor in his school and to employ the older pupils as monitors. In this way he taught a school of 1,000 pupils at an expense for the years of five shillings per head. He was an improvident eccentric and, while his system was popular, he finally became bankrupt and came to America in 1818. He soon introduced his methods of instruction throughout the United States. In 1838 he was run over by a carriage in New York and killed.

The Lancasterian system was introduced in Cincinnati, Marietta, Hillsboro, and other early Ohio towns. It was so inexpensive that it proved a serious obstacle to the establishment of our present system of paid instructors for all public school pupils.

- 63. In what year was the first direct tax levy for common schools authorized in Ohio? When was it made mandatory? Was this fund used to pay the wages of teachers? In what way did the public demand for canal construction assist in securing a levy for common schools?**

The first law authorizing a school tax was passed in 1821, but it was not made mandatory. It provided that township trustees *may* levy a tax to build school houses. Such funds could not be used for tuition except for indigent children not able to pay. In 1825 the general assembly passed a mandatory law requiring the county commissioners, beginning in July, 1826, to levy five-tenths of a mill for school purposes. Even this law was ignored for several years by many counties.

The two issues of canal construction and mandatory taxation to support public schools were combined in the campaign of 1824 and a majority was thus gained in the general assembly for both projects, but it was the popularity of the canals and not a general thirst for education that won at the October election. This was shown by the fact that the canal bill was passed first (February 4, 1825) and the school tax law was passed the next day and the majority for canals was over double the majority for schools.

- 64. In what year were all common schools in Ohio made free? What was the Akron law of 1847? When was it made general in Ohio?**

All schools in Ohio were made free by the law of 1838. Cincinnati had free schools previous to that date.

The first compulsory school law was passed in 1877, requiring attendance each year for at least three months.

The Akron law of 1847 gave that city the first modern graded school in the state. It provided for six primary and one grammar school with examinations for promotion. It also provided for a board of education of six members and a separate board of examiners for city teachers. The plan was extended to other towns in 1849 and to townships in 1850.

- 65. What state official was ex-officio state superintendent of schools previous to 1853? What officials during the same period were county superintendents and township superintendents? What titles have been borne by the head of the Ohio school system since 1837? How is this officer now selected? How are county superintendents chosen?**

The office of state superintendent of common schools was created by the legislature in 1837 but was abolished in 1840. In 1853 the office was again established under the title of state commissioner of common schools. Previous to the creation of this office the secretary of state performed the duties of superintendent of common schools with county auditors as county superintendents and township clerks as township superintendents.

Samuel Lewis of Cincinnati, in 1837, was appointed by the legislature the first state superintendent of common schools at an annual salary of \$500.00. By the law of 1853 the commissioner of common schools was made an elective office and so continued until in 1912 when a constitutional amendment was adopted making the office appointive by the governor and changing the title to superintendent of public instruction with a four year term.

The first Ohio school law worthy of the name was passed in 1825. Nathan Guilford, of Cincinnati, was the author. He was assisted in its preparation by Caleb Atwater of Pickaway county and Ephraim Cutler of Marietta. The first examination of teachers was held in 1825.

The office of county superintendent was created in 1914. He is chosen by the county board of education which consists of five members selected by the presidents of the boards of education of the village and rural school districts of the county.

- 66. We boast of our Ohio common school system, but do we at present devote as large a per cent. of all money raised by direct taxation to common schools as we did fifty years ago?**

General James A. Garfield, afterward president, while a member of Congress, on June 6, 1866, in speaking on his bill to establish a department of education, said that during the Civil War 52 per cent. of all Ohio taxation (excepting levies for war expenses and payments on the debt) was used for common schools. At that time over 50 per cent. of all state receipts, except for extraordinary expenses caused by the war, were disbursed for schools. Today only 15 per cent. of state receipts are so used. Ohio common schools received thirty-two million dollars in 1916 from direct taxation, or less than one-third of all state and local direct taxes.

- 67. Name the six oldest colleges in Ohio and the oldest colored university in America. Upon whom were the first academic degrees conferred in Ohio?**

The first college in Ohio was Ohio University at Athens, founded in 1804 and opened in 1809. The first graduating class was in 1815 and consisted of John Hunter and Thomas Ewing. These were the first academic

degrees conferred in the states northwest of the Ohio river. Ewing became one of the greatest lawyers and statesman in America.

The second Ohio college was Miami University at Oxford, which was founded in 1809 and opened in 1816. The first graduating class was in 1826. Kenyon College at Gambier was founded in 1825; Franklin College at New Athens, and Western Reserve University, at Cleveland, were both founded in 1826; Denison University at Granville in 1831, Oberlin College in 1833 and Marietta College in 1835.

Oberlin was the first co-educational college in the world and the first in the United States to admit negro students. Ohio has more colleges than any other state in the Union.

Wilberforce, the leading colored university in the North, was founded in 1856, being the first college for negroes in the United States.

68. Name six celebrated Mound Builders' earthworks in Ohio and give county in which each is located.

Ohio was the chief center of Mound Builders' earthwork construction in prehistoric ages. There are more than 10,000 such remains within this state, including effigy, sacrificial and observation mounds, enclosures, fortifications, earth and stone structures and burial tumuli. There are more Mound Builder earthworks in Ross, Licking, Pickaway, Butler, Jackson, Fairfield and Franklin than any other counties. The Mound Builders were evidently fishermen as their remains, which are largely in southern Ohio, are most numerous in the valleys of the Muskingum, Scioto and Miami rivers. There is no convincing evidence that the Mound Builders were not Indians.

Ft. Ancient in Warren county is the most noted prehistoric fortification in America. It is located on a hill over 200 feet high overlooking the valley of the Little Miami river. The embankment averages 50 feet in width and 12 feet in height, is nearly four miles in length and encloses 126 acres. It is owned by the state.

Serpent Mound, in Adams county, is the most famous effigy mound in existence. The earthwork represents a serpent swallowing an egg. The structure is about four feet high, 10 to 15 feet broad and over 1300 feet long. The egg is 120 feet by 60 feet. This mound is also owned by the state.

Ft. Hill, in Highland county, is an immense fortification on the summit of a hill nearly 500 feet in elevation. The earthwork is 10 to 20 feet high, 20 to 40 feet broad and one and one-half miles in circuit and encloses 35 acres.

The largest conical mound in the state is near Miamisburg in Montgomery county. It is about 70 feet high and nearly 1000 feet in circumference at the base.

The Marietta mound in Mound Cemetery is one of the best known in the state. It is 30 feet high, 115 feet in diameter, and is surrounded by a ditch four feet deep and 15 feet wide.

Along Paint Creek in Ross county are some of the most extensive fortifications and enclosures in the state. These numerous earthworks enclose several hundred acres.

The Alligator Mound near Granville, Licking county, which is 205 feet long, and the immense circular enclosures in the same county near Newark, are interesting curiosities.

69. **If a man die intestate leaving a father and brother, which inherits his property?**

The property inheritance laws of Ohio are based on the principle that when no will is made property goes to descendants rather than to ancestors. For this reason the property of a man who dies intestate will go to the brother and not to the father. While the brother is not a descendant, he is one generation lower in descent than the father. In case there be no brothers or sisters and no descendants, the father will take precedence over a more distant relative.

70. **What governor was called "The Father of Internal Improvements?" When was the construction of the Ohio canals begun and when completed? How many miles were constructed and what was the total cost? What other states had a greater mileage of canals? Did the national government assist Ohio in canal construction?**

Governor Thomas Worthington was called "The Father of Internal improvements" and Governor Ethan Allen Brown was referred to as the "Father of the Canals."

The work on Ohio canal construction was formally inaugurated July 4, 1825. There was a total of 813 miles constructed at a cost of \$15,967,652. This was in excess of the mileage of any other state, New York being second. Canal construction in Ohio was completed in 1847.

It required a remarkable amount of pluck for the citizens of the state in 1825 to decide in favor of such a vast undertaking as the construction of the Ohio canals. The estimated cost was ten per cent. of the tax duplicate of the state and the actual cost was 25 per cent. of the duplicate in 1825.

The national government assisted materially in the enterprise. A total of 1,230,512 acres of land was given as a bonus. From this government land the state realized \$2,257,487 for use in canal construction.

71. **In what way did Ohio resist the Livingston-Fulton water transportation monopoly? What use did the state make of the canals from 1861 to 1878? How many miles of canals are now owned by the state?**

After Robert Fulton invented the first steamboat, the Clermont, in 1807, through the influence of his partners, Chancellor Robert R. Livingston, Governor Tompkins, Governor DeWitt Clinton and Nicholas J. Roosevelt, who were all men of prominence in New York, the company secured the passage of a law granting it a monopoly in water transportation on the Hudson. Later, Louisiana granted a like right on the lower Mississippi. In 1811 Roosevelt built at Pittsburgh for his company the first steamboat on the Ohio and named it the New Orleans. The steamboat, Walk-in-the-Water, the first on Lake Erie, was built in 1818. As this Livingston-Fulton monopoly was regarded by Ohio as an obstacle to a healthy growth of commerce, the general assembly, in 1816, by resolution asked Congress to grant relief. In 1822 an act was passed by the Ohio legislature prohibiting the landing at any Ohio port on Lake Erie of all steamboats owned by the Livingston-Fulton Company. Soon after this the United States supreme court struck a death blow to the monopoly by a decision throwing open the Hudson to free navigation.

The canals of Ohio were leased to a private company from 1861 to 1878. They were leased for ten years at an annual rental of but

\$20,075.00, and this lease was renewed for an additional ten years, but the company defaulted on its rent in 1877 and abandoned the canals, leaving them in a very dilapidated condition.

From 1863 to 1896 various general assemblies disposed of canal lands worth several million dollars for less than \$200,000.00. We still have 603 miles of used and abandoned canals owned by the state.

The state owns, in connection with the canals, five important reservoirs: St. Marys in Mercer and Auglaize counties, the largest artificial body of water in the world, covers 15,748 acres, and cost over \$500,000.00; Lewistown in Logan county, area 6,332 acres; Loramie in Shelby county, area 1,828 acres; Buckeye Lake in Licking, Perry and Fairfield counties, area 3,942 acres; Portage in Summit county, area 2,209 acres. These are now chiefly valuable for fish and as pleasure resorts.

72. What was the Zane trace? Did the national government assist Ohio in making her first roads? How many miles of roads in Ohio today?

The Zane Trace was the first public highway located in Ohio by the national government. Being opened through the forest, it was more a blazed trail than an improved road. Ebenezer Zane, of Wheeling, brother of the heroic Elizabeth Zane, was authorized by Congress in 1796 to open a road at his own expense from Wheeling to Limestone (now Maysville), Kentucky. With the assistance of his brothers and son-in-law, John McIntire, and several laborers, he made the trail in 1796 and 1797. The trace passed the present locations of St. Clairsville, Cambridge, Zanesville, Lancaster and Chillicothe. As remuneration Zane received three tracts of one square mile (640 acres), each at the crossings of the Muskingum, Hock-hocking and Scioto where he was required to construct and operate ferries. These were at the present sites of Zanesville, Lancaster and Chillicothe. Prof. C. L. Martzoff, the historian of the Zane Trace, well says that Zane simply followed the old Indian trails which the Indians received ready made from the buffaloes. Later the National Road followed practically the same course from Wheeling to Zanesville and the Maysville pike followed the Trace from Zanesville to Maysville.

In consideration of the state exempting from taxation for five years, all land purchased of the national government in the state, the U. S. government agreed to reserve five per cent. of the proceeds of all land sales in Ohio, three per cent. to go to the state to construct roads in Ohio, and two per cent. to be used to build the National Road from the Atlantic to the Ohio river.

There are about 90,000 miles of public roads in Ohio. The proposed inter-county system, when completed, will improve one-tenth of this total mileage.

73. Who was called "The Father of the National Road?" When was the national road built, what did it cost and where did it begin and terminate? Did the state pay any part of the cost of construction? When was the road given to the state?

Albert Gallatin, 1761-1849, a native of Geneva, Switzerland, who came to America in 1789 and settled in Pennsylvania, was the originator of the scheme to build the old Cumberland road, and was therefore known as "The Father of the National Road." As secretary of the treasury under Jefferson, he rendered invaluable assistance to the project.

The success of the enterprise was first assured when Ohio became a state in 1803, and the national government agreed to reserve two per cent. of the receipts from all land sales in Ohio for the construction of a road from the Atlantic to the Ohio river. Three routes were proposed: the Mohawk Valley, Braddock's road through Pennsylvania and the Wilderness road through Cumberland Gap into Kentucky. The second was selected and work was begun in 1811 at Cumberland, Maryland. The road was completed to the Ohio river at Wheeling in 1818. It was paved with stone and cost \$13,000 per mile. Later macadam was substituted. The road was completed to Columbus in 1833. It was the purpose to build to the Mississippi river opposite St. Louis, but work by the national government never extended beyond Vandalia, Illinois, and the western section was only bridged and graded. The total appropriations by the national government for constructing the National Road was \$6,824,919.33. Ohio did not assist in the construction but all repair work was done by the states. As completed the national government gave the road to the states. Ohio began accepting portions of the road in 1834 and the entire road within the state was surrendered to Ohio in 1853. Ohio's part was about 200 miles, being a greater mileage than in any other state. Funds for repairs were secured by the collection of tolls, the gates in Ohio being ten miles apart. The largest toll was collected by Ohio in 1839 and the total collections during 47 years was \$1,250,000.00. The last toll collected by the state was in 1877. The road was given to the counties through which it passes in 1876. The National Road about 1840 was one of the busiest highways that has ever existed in this or any other nation, and it was largely instrumental in the rapid increase in population and wealth of Ohio.

74. What land grants were made by the national government in Ohio for educational and religious purposes? Were any part of the proceeds of sales of public lands given to education?

By an ordinance passed May 20, 1785, or two years before the passage of the famous Ordinance of 1787, Congress stipulated that one thirty-sixth of all land in the Northwest Territory should be reserved for the support of common schools. In a large part of Ohio, including the Ohio Company's purchase and the Symmes' purchase, section 16 of each township was reserved. This section was selected because it was near the center of each township. But in the Western Reserve and U. S. Military District, townships were surveyed five miles square instead of six miles, and in the Virginia Military District the surveys were made without reference to any regular section or township lines. This caused great irregularity in the allotment of school lands in the districts above mentioned. The allotments in the former two were two and one-half miles square, while in the Virginia Military District they were three miles square. By reason of errors and negligence, and in some cases the sale by mistake of section 16, a number of townships failed to secure their allotment, and in many cases the allotment for one township was made in another township and frequently in another county. There are 26,073,600 acres in Ohio. One thirty-sixth this total would be 724,266 acres. The total actually reserved for schools was 704,488 acres. All of this land but a few thousand acres has been sold and the proceeds paid into the state treasury, and each year the state pays six per cent. on this irreducible debt for the support of common schools. The total

receipts from the sales of school lands, as shown by the report for 1916, was \$4,145,367.96, and the interest paid in 1916 amounted to \$248,630.86. The accounts of each township are kept separate on the books of the Auditor of State's office. There are over 800 of such separate and distinct township funds.

In addition the national government set aside two townships (46,080 acres) in Athens county and one township (23,040 acres) in Butler county for the support of two seminaries of learning. Ohio University at Athens and Miami University at Oxford were founded as a result of these reservations.

Under the Senator Morrill act of 1862, the national government gave Ohio 630,000 acres of the public domain for the establishment of an agricultural school. This land script, which entitled the holder to unsold government land, all of which was outside Ohio, was sold by the state and the proceeds turned into the state treasury as part of the irreducible state debt, and each year the state pays six per cent on the amount to the Ohio State University, which was established in 1873 as a result of the government grant. Only \$340,906.80 was realized from the sale of this land script covering the grant of 630,000 acres.

The proceeds from the sales of the 28,320 acres of salt lands reserved and the 25,640 acres of swamp lands patented to the state by the national government were to be used for the benefit of common schools. All this land has been sold and the money used by the state, but the schools of the state never received any benefit from these grants.

In the sales of land by the national government to the Ohio Company and to John Cleve Symmes, section 29 of each township was reserved for the support of churches. This is known as the ministerial lands and comprised a total of 43,525 acres. Nearly all of this land has been sold and the proceeds turned into the state treasury. This ministerial fund held by the state amounted in 1916 to \$150,275.92. The State in 1916 paid as six per cent. interest, a total of \$9,028.10. Only eleven counties receive any portion of this amount—Athens, Butler, Gallia, Hamilton, Hocking, Lawrence, Meigs, Morgan, Vinton, Warren and Washington. Nearly half goes to Warren and Hamilton. Ohio is the only state in the Union where every taxpayer contributes annually to the support of certain churches. This annual payment of \$9,028.10 goes to 63 townships in various amounts. Each township divides its proportion among all the churches in the original township in exact ratio to the membership of each church in the township.

75. **In what section of Ohio were each of the following land grants or districts located: Ohio Company's purchase, Virginia Military, Symmes', United States Military, Congress, Western Reserve, Fire Lands, French Grant, Dohrman's Grant, Zane's Tracts and the Moravian Lands?**

Ohio was originally claimed by four states—Massachusetts, New York, Connecticut and Virginia. The only one that had any valid claim to the territory northwest of the Ohio river was Virginia. Not only was she granted the whole region by the English Charter of 1609, but if George Rogers Clark of Virginia, in 1778-79, with Virginia troops and material and means furnished by Virginia, had not captured every British post northwest of the Ohio except Detroit, there would have been no American territory northwest of the Ohio river for these states to claim and quarrel over. New York relinquished her claim in 1781, Virginia ceded the whole territory

to Congress in 1784 (except a small reservation) and Massachusetts and Connecticut did likewise in 1785 and 1786 respectively, the latter retaining the Western Reserve.

Ohio by national grants, reservations and sales was divided into a large number of tracts. Here are the more important grants and purchases, with the total number of acres of each:

Ohio Company's purchase	964,285
Donation Tract	100,000
Symmes' Purchase	311,682
Western Reserve	3,366,921
Fire Lands (Included in Western Reserve).....	500,000
Virginia Military District	4,204,800
U. S. Military District	2,560,000
School Lands	704,488
Canal Lands	1,230,521
Refugee Tract	100,000
Maumee Road Lands	60,000
Turnpike Lands	31,360
College Lands	69,120
Ministerial Lands	43,525
Salt Lands	28,320
Swamp Lands	25,640
French Grant	25,200
Dohrman's Grant	23,040
Moravian Lands	12,000
Zane Tracts	1,920

There were a large number of smaller tracts, some being grants to individuals and others Indian reservations, that are not included in the above list. A record of forty such small grants and reservations is on file in the Auditor of State's office.

In addition to the above enumerated tracts, there were extensive tracts known as Congress Lands which were sold by the national government direct to settlers. The Congress Lands comprised over twelve million acres and included western and northwestern Ohio, all lands between the Ohio Company's purchase and the Scioto River, and the Seven Ranges in eastern Ohio, the first land surveyed in Ohio.

The most noted purchase was the Ohio Company's purchase made July 24, 1787, by Manasseh Cutler as agent for the Ohio Company of Massachusetts. Cutler wished to secure 1,500,000 acres for his associates but could make no progress in the negotiations with congress until he agreed to purchase 3,000,000 acres additional and turn the latter over to a company known as the Scioto Company composed of prominent men in the government and members of congress, and Cutler also was compelled to withdraw General S. H. Parsons as prospective governor of the Northwest Territory and consent to the appointment of General St. Clair who was president of congress. Such a disreputable transaction would today result in criminal prosecutions. There is little doubt that some prominent government officials of 1787 interested in this secret deal deserved incarceration in a penitentiary. The Scioto Company was to receive land north and west of the tract selected by the Ohio Company, and extending to the Scioto river, but this first "land grab" never proved of any financial benefit to those interested. Attempts were made to sell the land in France, but the French Revolution prevented the success of the project and the Scioto Company failing to pay for the land, it all re-

verted to the national government. The leader of the Scioto Company was Col. William Duer, an intimate associate of Alexander Hamilton. The only result of the speculation was the settlement of Gallipolis in 1790 by a colony of misguided French who were the victims of the agents in Paris of the Scioto Company. The Ohio Company could not raise funds to pay for the entire tract of 1,500,000 acres. They secured 964,285 acres for which they paid 66 $\frac{2}{3}$ cents per acre. This tract included all of Athens and Meigs counties and portions of Lawrence, Gallia, Vinton, Hocking, Morgan and practically all of Washington.

The Donation tract of 100,000 acres in Washington and Morgan counties was 7 $\frac{1}{2}$ miles wide north and south and 17 miles long east and west. It was given to the Ohio Company with the restriction that it must be divided into 100 acre tracts and that they secure a settler on each tract.

In 1787 John Cleve Symmes, a New Jersey congressman, offered to purchase of congress 600,000 acres lying between the Great Miami and Little Miami at 66 $\frac{2}{3}$ cents per acre. He was never able to pay for the entire tract, but in 1792 congress patented to him 311,682 acres, being part of the present counties of Hamilton, Butler and Warren and extending from the Ohio river to a line slightly north of Lebanon.

The Western Reserve in northeastern Ohio was the tract retained by Connecticut when she relinquished her claim to the Northwest Territory. It was all north of the 41st degree north latitude and extended west to the east line of Sandusky and Seneca counties. It comprised 3,366,921 acres, including the Fire Lands.

The Fire Lands were the western part of the Western Reserve and comprised 500,000 acres now included in Huron and Erie counties. It was given in 1792 to citizens of certain Connecticut towns destroyed by fire by the English during the Revolution.

The Virginia Military District was the tract between the Scioto and Little Miami rivers and extending from the Ohio north to the center of what is now Hardin county. It was given by Virginia to her citizens who served in the Revolution. It was the largest grant made in Ohio. Among prominent Virginia soldiers receiving allotments in the Virginia Military District were Generals Washington, George Rogers Clark and Daniel Morgan. George Washington received four tracts in Clermont county amounting in all to 3,051 acres. Daniel Morgan, the Phil. Sheridan of the Revolution, and the general for whom Morgan county was named, received six tracts scattered over Franklin, Pickaway, Clinton and other counties, amounting in all to 11,666 acres.

The U. S. Military Lands was a large tract in east central Ohio set apart by the national government for Revolutionary soldiers. Most of it was allotted in 100 acre tracts. The western boundary was the Scioto river from Columbus to the Greenville Treaty line, and it extended east to a line north and south through Tuscarawas and Guernsey counties, the latter line being the western boundary of the Seven Ranges. Among the noted Revolutionary soldiers who received allotments in this tract were Kosciusko and Baron Steuben. The former in 1800 received about 500 acres on the east side of the Scioto in Franklin county just south of the Franklin-Delaware line. The monument to Leatherlips, the Wyandot Indian chief who, because of friendship for the whites was murdered in 1810 by members of his tribe, is located a few rods north of the Kosciusko tract. The Steuben tract of about 800 acres was in what is now Muskingum township, Muskingum county, and was given in 1806.

The school lands comprised one thirty-sixth of all lands in Ohio. In the greater portion of the state section 16 of each township was reserved.

The Canal lands were in western and northwestern Ohio and were donated to Ohio by the national government to aid canal construction. The national government gave the state alternate sections in a strip ten miles wide (five miles on each side of the canal) from Dayton to Toledo and along the Wabash canal to the Indiana line and additional lands in other sections of northwest Ohio, making a total of 1,230,521 acres so donated.

The refugee tract of 100,000 acres was a strip $4\frac{1}{2}$ miles wide from north to south and extending east from the Scioto river 42 miles, the last 12 miles on the eastern extremity being only $2\frac{1}{2}$ miles wide. Columbus is in the southwest corner of the Refugee Lands. The western part is all in Franklin county, the central part in Licking and Fairfield and the last 12 miles on the eastern extremity all in Licking. It was given by the national government to British subjects from Canada and elsewhere who by favoring the cause of the Colonies during the Revolution became refugees.

The Maumee Road Land was a strip two miles wide extending from the present site of Perrysburg in Wood County to the site of Bellevue on the west border of the Western Reserve. It was donated by the Indians in 1808 to aid in the construction of a road through the strip of land set apart.

The Turnpike Lands were 28 small tracts (the largest 1,920 acres) in Marion, Crawford and Seneca counties granted by congress in 1827 to furnish the national government a free road from the Greenville treaty line north through the three counties mentioned.

The College Lands were two townships in Athens county and one in Butler county reserved to aid in the establishment of two academies.

The Ministerial Lands were all of sections 29 in the Ohio Company's and the Symmes' purchases, which were reserved to aid in the support of ministers of the gospel.

The Salt Reservations were in Jackson, Delaware and Muskingum counties and are described fully in the answer to question No. 76.

The Swamp Lands were tracts in northwestern Ohio, chiefly in Ottawa, Wood and Sandusky counties, donated by the national government to Ohio in 1850 under an agreement that the state reclaim and drain the same. Millions of acres of such lands were donated to various states in the Mississippi Valley, but Ohio only received 25,640 acres. In 1883 a law was passed by the Ohio general assembly placing all receipts from the sales of these swamp lands to the credit of the common schools of the state as a part of the irreducible debt and requiring that six per cent. interest on this fund be distributed annually to the counties in proportion to the number of youth of school age. In 1885 the auditor of state credited this fund with \$21,770.82 as the total then held by the state. The last addition to the principal was \$349.00 in 1905, making the total \$25,121.09, the amount now held by the state as a part of the irreducible debt. No interest has ever been paid by the state on this trust fund. The annual interest amounts to \$1,507.26 and the total of accumulated interest unpaid since the fund was established now amounts to over \$20,000.00.

The French Grant of 25,200 acres was in what is now Scioto county and was donated by Congress in 1795 to ninety-two French settlers at Gallipolis, who were victims of the Scioto Company land sale in France.

Dohrman's Grant was a donation of one township to Arnold Henry Dohrman, a Lisbon, Portugal, merchant, who assisted American vessels

during the Revolution. This six mile square tract is partly in Tuscarawas and partly in Harrison counties.

The Moravian Lands were three tracts of 4,000 acres each in Tuscarawas county, given by congress in 1787 to the Moravian missionaries for the use of the Christian Delaware and other Indians settled on the Tuscarawas river.

The Zane grants were three tracts of 640 acres each in Muskingum, Fairfield and Ross counties, given to Ebenezer Zane by the national government for opening a road known as the Zane Trace from Wheeling to Maysville, Kentucky.

The Seven Ranges in eastern Ohio were the first lands in the Northwest Territory that were surveyed by the national government and the first application in this country of the rectangular system of surveys into tracts one mile square arranged into townships and ranges with each section, township and range numbered. We owe this splendid system to Thomas Hutchins who was the geographer of the United States and had charge of the surveys of the Seven Ranges. The survey began in 1786 where the Ohio intersects the Pennsylvania line and extended west a distance of 42 miles or seven ranges of townships. This line is known as the "Geographer's Line." From the 42nd mile post a line was surveyed south to the Ohio river above Marieta. This line passes through Dennison.

76. What three salt spring reservations in Ohio were made by the national government? How many acres in each and in what counties located?

Salt, now one of the cheapest of the necessities of life, was so expensive to early settlers that it was almost considered a luxury. Much of it was brought over the mountains on pack animals and sold at five to ten dollars per bushel. There were several salt springs in Ohio which were considered of such great value to all that three were reserved by the national government to prevent monopoly in this necessity.

These reservations were as follows: One township (23,040 acres) near the present town of Jackson in Jackson county, 4,000 acres in Brown township, Delaware county, and two sections in Muskingum county, one in Salt Creek township and one in Wayne township. Part of the latter section is now in Brush Creek township and this part, which is on the west side of the Muskingum river, contained the salt spring. It was stipulated by congress in the act of May 18, 1796, that these salt reservations should never be sold, but in 1816 congress authorized the sale of 640 acres of the Jackson county reservation. The proceeds of this sale of lots and land were \$7,196.00 which was used to construct county buildings. In 1824 congress authorized the state to sell all salt reservations and the only stipulation as to the use of the receipts from such sales was that they should be used for "literary purposes." The general assembly in 1826 ordered the sale of all salt lands. These funds were paid into the state treasury, and in 1829 were transferred to the state common school fund. The state has never paid to the schools of Ohio one cent either as principal or interest on this fund. The sales amounted to about \$30,000.00. For a number of years accumulated interest was added to the principal until the amount was \$41,024.05. This sum appeared each year in the auditor of state's statement of the irreducible debt until 1870 when it was printed for the last time and then disappeared forever. The state had used the money and the schools

never received one penny. The last payment into this fund was made in 1849 and the total then of \$41,024.05 with interest at six per cent. up to the present would make an aggregate amount of \$200,000.00 due the schools of Ohio.

The Scioto Salt Springs were the most noted and valuable. Their existence was known to the English as early as 1755. They were visited regularly by the Indians and the early settlers, and when Ohio became a state the general assembly appointed an agent to collect a license fee of three cents per gallon quarterly on the capacity of each salt kettle used by the salt makers. A thriving settlement sprang up around the salt springs, which were then a part of Ross county, and this growing village caused the general assembly to create the new county of Jackson with the county seat at the salt works.

The Delaware Salt Springs were of little value. The supply of salt water was not sufficient to pay for operation and the attempt ended in failure.

The salt springs on Salt Creek in Muskingum county near the present town of Chandlersville were of more importance. The Marietta settlers began making salt there in 1795. The following year there were 24 kettles being operated. Even with cheap labor and fuel it cost three dollars per bushel to produce the salt. The Chandler family were the most noted salt makers of the region.

The sales of the salt reservations by the state followed the abandonment of salt making at the salt springs, the drilling of salt wells furnishing superior brine in other sections of the state. Ohio about 1840 was a large producer of salt, Morgan, Athens and Meigs counties being then in the lead. Ohio today has few salt furnaces.

77. Were saloons taxed under the first Ohio constitution? Did the Ohio supreme court in early days render a decision that a tavern without a bar was not a tavern? Was this decision unanimous? Were distilleries ever exempted from taxation in Ohio to encourage their establishment :

Saloons were licensed in Ohio under territorial government and until the adoption of the Constitution of 1851 after Ohio became a state. The first license law was adopted in 1792 and required a fee of \$16.00 for the privilege of selling intoxicating liquors. The first state law in 1805 authorized the county commissioners to charge not less than four nor more than twelve dollars for a license. In 1829 an act was passed permitting grocers to sell liquor. They were required to pay a license fee similar to taverns.

It was the custom in Ohio during the first quarter century of the state's history for every public inn or tavern to sell liquor. This was so universal that when Horace Curtis, of Belpre, Washington county, in 1831, opened a tavern and refused to sell liquor or pay the license, he was arrested, convicted and fined ten dollars and costs. The case was carried to the supreme court. The decision rested on the momentous question, "Is a tavern without a bar a tavern?" Two of the supreme judges, Lane and Wright, thought it was, and two, Hitchcock and Collet, decided it was not. By the supreme court equally dividing, the sentence of the lower court was affirmed and Curtis had to pay his fine, and also pay a license fee if he continued in business.

The first law by the general assembly to exempt from taxation property used for religious and educational purposes was passed in 1821. In 1825 additional exemptions of property were made to encourage manufacturing.

Those industries most desired by the early settlers were exempted, including salt works, woolen mills, one cow, and for those who desired something stronger than milk, distilleries. Liquor was then generally regarded as one of the necessities, not only for the home and harvest field, but all public gatherings, including conferences and associations held by the churches.

78. What important liquor tax law was enacted in 1883? Were saloons in Ohio taxed from 1851 to 1883?

Under the constitution of 1851 the open saloon where liquor could be bought and consumed was unconstitutional. From 1851 to 1883 saloons were tolerated but not taxed by the state.

The first law passed under the present constitution for the purpose of taxing saloons was the act of 1882 by Senator Frank B. Pond, of Morgan county, a former attorney general. The tax ranged from \$100.00 to \$300.00, depending whether the saloon was in a township, village or city. The state was to receive no part of this tax. The supreme court declared the law unconstitutional on the ground that it was a license.

The Scott law of 1883 assessed a tax of \$200.00 on all saloons, the state to receive no part of the tax. Strange to say, the supreme court declared this law constitutional. Courts in Ohio at that period were like courts have been through all the ages — a mere expression of public opinion, frequently forced by public demands to render certain decisions, but never in advance of public sentiment, usually a long distance in the rear.

The Dow law was passed in 1886. It continued the \$200.00 tax and made it a lien on the property. The supreme court by that date was willing to swallow the lien feature also. In 1888 the tax was raised to \$250.00 and provision was made for the state to receive the additional fifty dollars added.

79. When was the famous temperance crusade in Ohio? In what town did this agitation originate and who was the most noted leader of the movement?

The famous Temperance Crusade known as the Women's Crusade, had its origin in Hillsboro. It was occasioned by a lecture delivered there by Dio Lewis. The following day, December 24, 1873, seventy women formed an organization and marched to the saloons where prayer meetings were held. The agitation spread next to Washington C. H. and later to all parts of the state. Mrs. Thompson, a daughter of Allen Trimble, former governor, was first president of the organization and Mother Stewart was probably the most prominent leader. The crusade closed over one hundred saloons in twenty to thirty towns. The immediate accomplishments were not important but the move indirectly resulted later in the laws taxing saloons.

Ohio women have been leaders in all great moral reforms. Frances E. Willard was born at Oberlin, in Lorain county. One of the first woman suffrage conventions held in America met at Salem in Columbiana county in 1850. Fannie D. Gage, the McConnellsville poetess, was the leading spirit of this pioneer movement.

80. What were the provisions of the Adair liquor law of 1870? What was the "McConnellsville Ordinance?"

The Adair liquor law of 1870 provided that suit could be brought against a liquor dealer for damages occasioned by the traffic. Under that

drastic law any one damaged directly or indirectly could file suit. The law was amended in 1875 making it necessary first to notify the liquor dealer not to sell to the person named.

From 1852 to 1902 city and village councils had the authority to regulate, restrain or prohibit saloons. Under this grant of authority the council of McConnelsville, in September 1869, prohibited saloons in that village. Chris Burckholter brought suit to test the ordinance. Burckholter had been sentenced by the mayor of McConnelsville to pay a fine and to be imprisoned three days. Judge Marsh sustained the ordinance and the judgment was affirmed by the Supreme court in 1870.

81. What radical changes in temperance legislation were made in 1888, 1896, 1902, 1906 and 1908? What constitutional changes were made in 1912 and 1914?

In 1888 a law was passed granting townships the right to vote on prohibition of the liquor traffic. In 1896 the saloon tax was increased to \$350.00. In 1902 the Beal law was passed granting the right to municipalities to vote on prohibition. In 1906 the tax on saloons was increased to \$1,000.00. In 1908 the Rose county local option law was enacted. The Brannock residence district law was passed in 1904.

In 1912 a constitutional amendment was adopted by a vote of 273,361 to 188,825 permitting the licensing of saloons in Ohio which had been unconstitutional since 1851. License was defeated in 1851 by a vote of 113,237 to 104,255 and again in 1874 by 179,538 to 172,252. The amendment adopted in 1912 limits the number of saloons in wet territory to one for each five hundred population. More than one conviction of a law violation forfeits the license. In 1914 an amendment was adopted by 12,618 majority which abolishes the right to vote as a county on prohibition. State-wide prohibition lacked 37,526 votes of a majority in 1883, it was defeated in 1914 by 84,152 majority and again in 1915 by 55,408 majority.

82. What, where and when was the first railroad built in Ohio? Were any land grants made to Ohio railroads? Did Ohio ever financially assist in the building of railroads?

The Erie & Kalamazoo Railroad from Toledo to Adrian, Michigan, was the first railroad in Ohio. It was opened with horse cars in 1836 and steam locomotives were put on in 1837.

In 1837 the general assembly passed a law authorizing state loans to assist in railroad construction. This law was repealed in 1840 but in the meantime \$717,515.00 of state funds had been so invested. The state got back but \$292,658.00 on this investment. It disposed of its last railroad stock in 1866.

The national government made no grant of land to promote railroad construction in Ohio. Practically all government land in Ohio had been sold previous to the building of Ohio's first railroads and the granting of vast tracts to encourage railroad construction, which became the rule later in the western states, was impossible in Ohio. As late as 1847 there were but 36 miles of railroad in Ohio. By 1850 the mileage had increased to 300 miles.

83. Did many Ohio counties contribute to railroad construction? What change in this respect did the constitution of 1851 make? How many miles of steam roads and interurban roads now in Ohio? Give total value of railroads for taxation.

While state contributions to railroads ended in 1840, counties were permitted to subscribe to such ventures until 1851, when the new constitution prohibited all such transactions. While this railroad craze was active 37 counties invested \$4,173,000, 55 townships \$1,005,100 and 16 towns \$1,672,000. Practically all this investment of public funds was lost, many counties paying on railroad bonds for 30 years when no railroad was built.

There are 10,790 miles of steam roads in Ohio valued for taxation at \$699,000,000.00 and 2,810 miles of electric interurban roads valued at \$163,000,000.00. Ohio ranks first in the mileage of interurban roads.

84. What was the first Ohio bank? When and where was it established?

The first bank in Ohio was the Miami Exporting Company, of Cincinnati, incorporated April 15, 1803, with a capital of \$500,000.00. Banks were established at Marietta, Chillicothe and Steubenville in 1808 and at Zanesville in 1811. The first general banking act was passed in 1816. The charters of all banks under this act expired in 1843.

85. In what two Ohio cities were United States branch banks established in 1817? Were these banks taxed by the state? When did their charters expire?

The United States Bank at Philadelphia established branch banks in 1817 at Cincinnati and Chillicothe. These branch banks continued doing business until 1836. There was great opposition to these banks in Ohio and in 1819 the general assembly levied a special tax of \$50,000.00 on each. The banks refused to pay this tax and officers of the state forcibly entered the Chillicothe bank and took \$100,000.00 in specie and bank notes and placed the same in the state treasury. Shortly after a U. S. Marshal entered the state treasury and returned the money to the Chillicothe bank. The act of the state general assembly taxing these banks was declared unconstitutional by the U. S. supreme court in 1824. This ended the controversy.

86. Did Ohio ever have a state bank? When were national banks first established?

Up to 1845 the banking business of Ohio was in a deplorable condition. Wildcat banking was the rule and bank swindles were of frequent occurrence. During the panic of 1837 the Zanesville bank was the only one in Ohio that did not repudiate its obligations. At that time there were 34 banks in Ohio with capital of \$13,700,000.00. The Gallipolis bank with a capital of \$200,000.00 in 1839 had notes aggregating \$1,200,000.00 in circulation. In those days no man would accept bank paper without first investigating the standing of the bank issuing the money.

In 1845 Alfred Kelley's great bank act was enacted by the general assembly. It ended wildcat banking in Ohio. This law established a state bank consisting of branches without a central bank. The state printed the notes for circulation and exercised control over the banks but was not a stockholder. The law divided the state into twelve districts and authorized a total of 63 branch banks. The capital of each could not be less than \$100,000.00 nor more than \$500,000.00. The total capital was limited to \$6,150,000.00. This was a masterpiece of financial legislation for that period and the plan was largely followed by Salmon P. Chase, secretary of the treasury, in providing for national banks during the Civil War.

National Banks were authorized by law of congress in 1863 and of 66 organized during the first year, 20 were in Ohio.

- 87. Did the United States ever levy a direct tax on Ohio? What was the largest sum of money ever received by Ohio from the national government? How were the first Ohio taxes levied?**

The U. S. Congress has never levied a direct tax on the state except during the War of 1812 and the Civil War. In 1813 a tax of \$3,000,000.00 was levied on all the states, in 1814 another of \$6,000,000.00 and in 1816 a third of \$3,000,000.00. This tax was apportioned among the states in proportion to population. It was also provided that any state would be allowed 15 per cent. discount for prompt payment. Ohio secured the discount each year. Her cash payment in 1813 was \$88,528, and \$177,055 in 1814, and in 1816 the same as in 1813, making a total paid by the state of \$354,110.00.

By act of congress of August 5, 1861, a direct tax of \$20,000,000.00 was levied on the states. Ohio's proportion was \$1,567,089.00, but by prompt payment 15 per cent. discount was allowed and the state paid \$1,332,026.00. The national government paid back this sum to Ohio, in 1891.

The national debt was entirely extinguished for the first time during Jackson's administration. A large surplus soon accumulated in the national treasury and in 1837 the sum of \$28,101,644.97 was distributed among the states of which Ohio received \$2,007,260.34. This was loaned to the counties of the state in proportion to population. Each county paid interest on the loan and this interest was used for the benefit of the common schools. These loans were to be paid back to the state in 1850. Most counties paid back their loans as agreed, but a few delayed payment for several years. The last county to refund this money to the state was Highland in 1875. The state used the money in paying the canal debt. The national government has never required the return of this loan.

The first state taxes were levied entirely on land and all taxation of personal property was for the support of counties. The first general land tax law was passed in 1804. It divided all lands in the state into three classes. First class land was taxed 70 cents per one hundred acres, second class 50 cents and third class 26 cents. As land increased in value these rates were increased. In 1810 the rates were \$1.25, \$1.00 and 60 cents. In 1820 the rates of land taxation were increased to \$1.50, \$1.00 and 50 cents. The state's proportion of land taxes varied in different years. At first the state received three-fourths and the counties one-fourth. In 1810 the counties were given one-third while in 1820 the counties' proportion was reduced to one-fifth. Counties were permitted to tax lots in towns but not farm land. They could also tax horses and cattle and dwellings valued at \$100.00 or more. No effort was made to tax moneys or credits.

- 88. Did Ohio ever employ the single tax principles in taxing the lands of non-residents to compel their occupation or sale? When was land classification for taxation abolished?**

Ohio wisely adopted the single tax principle of taxation in the beginning and many students of economics today regard it as a lamentable event in Ohio history when the change was made to general taxation of all property, personal and real, including improvements, buildings, moneys

and credits. Many believe that had land taxation been retained as the permanent and exclusive source of state and local revenue, it would have prevented many of the present day inequalities in the distribution of wealth and would have produced a more healthy and general growth in industry and avoided, largely, the unhealthy, congested and impoverished condition of the tenement districts of our cities.

It is now probably too late to change from our present system of taxation to exclusive land taxation. We are adjusted to the present system, investments in lands have been made by hundreds of thousands of innocent purchasers who did not make our present tax system, and a radical change would be an injustice and a hardship. But the present system is unquestionably the cause of the inflated values in the business districts of our large cities and these phenomenal increases in the value of city lots have tended to depress the price of farm lands and depopulate the rural sections.

In 1880 the assessed value of farm lands in Ohio was almost double the value of real estate in cities and villages. The value of farm lands by the 1916 assessment was \$1,778,683,379.00, while real estate in cities and villages was \$3,071,434,794.00. Since 1880 the value of farm lands as valued for taxation has increased less than 255 per cent., while real estate in cities and villages has increased over 775 per cent. The relative increase of real estate in cities and villages is much greater than shown by the assessors' returns, for a large part of city real estate is not appraised at its real market value, while nearly all farm land is appraised at full value.

The single tax principle employed in early Ohio taxation of levying taxes on land and exempting or taxing lightly for local purposes all personal property had the effect of compelling non-resident land holders to either settle on their lands or sell them. In 1810 non-residents paid almost twice as much taxes in Ohio as residents, as at that time their holdings were double the number of acres owned by actual settlers. This system of taxation produced two beneficial results. It caused a rapid settlement of the state and it soon wiped out absentee landlordism. In 1815 non-residents owned only half the taxable land while in 1820 they held only half as much land as residents. During the same period, from 1803 to 1820, the population of the state increased from 47,000 to 581,000.

The classification system of land taxation was abolished in 1825 and the taxation of all property, personal and real, was substituted and the latter system has prevailed ever since. The abandonment of the old system was caused by the growth of abuses in the listing of land for taxation. The following table gives the number of acres of each class in the state as returned for the years mentioned. It shows that as the state increased in population land, seemingly, became less valuable. As a matter of fact first class land had increased rapidly in amount but the owners had found out how to dodge taxation.

<i>Year.</i>	<i>Acres 1st Class.</i>	<i>Acres 2d Class.</i>	<i>Acres 3d Class.</i>
1803	101,709	2,326,226	3,641,694
1810	129,741	4,117,950	5,625,408
1820	255,082	7,304,633	5,759,323
1825	178,998	5,672,277	7,173,798

Fraudulent classifications had become so common in many counties that, before the system was abandoned, inequalities among counties rendered state taxation an intolerable farce. In 1824 the populous and wealthy

county of Hamilton with the largest city of the state paid \$2,080.00 taxes into the state treasury while sparsely settled Athens with no cities paid \$2,142.00.

- 89. Who originated the plan adopted in 1846 providing for the first general property tax in Ohio? When was direct taxation by the state to meet ordinary state expenditures abolished?**

In Ohio, as elsewhere, the man of brains is forgotten, but the memory of the man with stout lungs, an elastic tongue and big mouth is treasured by succeeding generations. The name of Ohio's greatest statesman of the half century preceding the Civil War is seldom mentioned in the class rooms of Ohio's high schools and colleges.

Ohio is justly proud of the stability and safety of her financial institutions, her marvelous industrial development, her just system of taxation, which is superior to all other states, and her splendid schools and colleges, but to her everlasting reproach she does not honor the man who, more than all others, made possible this remarkable progress. The greatest constructive statesman of the first half century of Ohio history was Alfred Kelley. He was born in Connecticut, November 7, 1789. He came to Ohio and located in Cleveland in 1810 and four years later when barely of constitutional age he was elected as representative in the general assembly. He later moved to Columbus and served several terms in the state senate, retiring in 1857, 43 years after his first entrance into the legislature. In 1814 he was the youngest member and in 1857 he was the oldest. For over 40 years he was almost continuously in the service of the state as member of the general assembly, canal commissioner and canal fund commissioner.

Here, briefly, are his most important accomplishments: author of the law abolishing imprisonment for debt; largely responsible for eradicating lotteries from the state; led the fight for the passage of the canal and school laws of 1825; as canal commissioner from 1825 to 1834 had charge of the construction of the canals, a public improvement that, for its extent, cost less than any other in the history of America; author of the famous bank law of 1845 and of the still more noted tax law of 1846; author of the law creating the office of state school commissioner. He was a great lawyer but quit a lucrative practice to construct the Ohio canals and in this capacity served the state at three dollars per day. In later life in a private capacity constructed some of Ohio's first railroads. Thus he did more for schools, canals, banks and just taxation than any man in Ohio history.

Under the Whig administration of Governor Tom Corwin, the eloquent, on November 15, 1841, the state treasury of Ohio contained \$1,393.33½ in cash. On January 1st following \$400,000.00 of interest on the public debt was due and \$300,000.00 of temporary loans was also due. A resolution repudiating the state debt was introduced in the general assembly and lacked but seven votes of a majority. Kelley opposed this disgraceful effort to repudiate the state's lawful debts and went to New York and borrowed sufficient funds on his own credit to meet the state's obligations. Being a Whig, he thus saved the credit not only of his state but his party as well. He died December 2, 1859, aged 70 years.

Direct taxation by the state to meet ordinary expenditures was abolished in 1902. The amount so collected in 1902 and turned into the general revenue fund was \$2,759,929.20. Nothing was collected by direct tax for this purpose in 1903 or since.

90. What is a poll tax? Does Ohio now, or has it ever collected a poll tax?

A poll tax is a tax levied on each individual of a class, usually males above a certain age.

The levying of a poll tax has always been unconstitutional in Ohio. The first constitution, Art. VIII, Sec. 23, said: "The levying of taxes by the poll is grievous and oppressive; therefore the legislature shall never levy a poll tax for county or state purposes." This provision was inserted in the constitution of 1851 without change. In spite of this prohibition the legislature for many years evaded the provision and authorized the requiring of two days' labor on the highways annually by voters of certain ages.

To put an end to this evasion, Art. XII, Sec. 1 of our constitution was amended in 1912 to read as follows: "No poll tax shall ever be levied in this state, or service required which may be commuted in money or other thing of value."

91. What state and local officials have authority to levy taxes? Has Ohio an inheritance tax?

All state taxes are levied by the general assembly. There is a limitation to all taxation under the Smith one per cent. tax law passed in 1911. Under the limits now placed by law on taxation, the rate for all purposes, except sinking fund and interest on debt, cannot exceed one per cent. and the total rate cannot exceed one and one-half per cent. for all purposes with the exception that the state levy for the state highway fund of three-tenths of a mill, and any levy made necessary by the 1913 flood emergency bonds, are independent of all limitations, so that it is possible for a total rate to slightly exceed the one and one-half per cent. limit.

Under the law the total county rate cannot exceed three mills, the total school rate five mills, municipal rate five mills, and township rate two mills. It can be seen that if county, town, township and schools all levv the maximum rate, the total rate will far exceed the total rate permitted by state law. To adjust these various rates for local purposes, a county budget commission consisting, under the law of 1915, of the county auditor, treasurer and prosecuting attorney, is empowered with authority to fix the rate for each purpose. The county commissioners certify the rate needed for county purposes, the city or village council for municipal purposes, the board of education for school purposes, and the trustees for township purposes. The budget commission takes these requests and makes such reductions as necessary to bring the total tax rate, including the state rate, to not more than the limitations fixed by law.

The first state collateral inheritance tax law was passed in 1893. A direct inheritance tax law was passed in 1894, but was declared unconstitutional in 1895. Another law taxing direct inheritance was passed in 1904 and declared constitutional, but the law was repealed in 1906. We have today no state law taxing direct inheritance. Under the present state collateral inheritance tax law there is a tax of five per cent. on all sums over five hundred dollars bequeathed to persons other than the parents, husband or wife, or descendants of the decedent. The state receives half of all collateral inheritance tax collections, the remaining half going to the city, village or township where the estate is located.

92. What is the total tax duplicate of Ohio? In what two years in Ohio history were the largest increases in the tax duplicate of the state made?

The grand duplicate of Ohio as listed for taxation in 1916 is \$7,697,-630,232.00. Of this sum \$4,850,118,173.00 is real estate and \$2,847,512,059.00

personal property. More than one-half of all taxable property is in cities and villages, the amount being \$3,071,434,794.00 real estate and \$1,732,034,421.00 of personal property, making a total duplicate in municipalities of \$4,803,469,215.00. Ohio is the only state in the union that has all its visible property on the tax duplicate at practically its market value. New York, which has four times the wealth of Ohio, has a duplicate only one-half larger than Ohio. The duplicate of Pennsylvania is nearly one billion dollars less than Ohio, and Illinois, with more wealth than Ohio, has a duplicate one-third the total in this state.

Ohio may have made a mistake in 1825 in abandoning the single tax on land, but if we are to tax personal property, the present system of taxation by a uniform rule is the only sensible course to pursue. There is no middle ground. The advocate of single tax fights for a principle, but the propagandist for classification usually wishes to transfer the burdens of taxation onto the shoulders of others. Alfred Kelley was the real father of the uniform rule in taxation, and his tax law of 1846 produced the first large increase in the tax duplicate of Ohio. The total duplicate of the state in 1846 was \$159,293,132, while \$410,763,100 was the total for the following year, as assessed under the new law.

The next large increase in the state grand duplicate occurred in 1911 when the Smith one per cent. tax law was adopted. The total duplicate of the state in 1910 was \$2,389,978,349. In 1911 it was increased to the remarkable total of \$6,201,303,588.

Experience has demonstrated that the only sensible policy is to tax everything, seen and unseen, at its actual market value by a uniform rule and rigidly limit taxation to one per cent.

- 93. Has Ohio any bonded indebtedness? Why was the creation of a state debt limited in the constitution of 1851? What and when was the largest state debt in the history of Ohio? Was the state debt increased during the Civil War? In what year was the state debt finally extinguished?**

Ohio has no bonded indebtedness. Records of the auditor of state's office show that \$1,665.00 of the state's bonded indebtedness has never been paid. This is an old canal debt on which interest ceased in 1849. If presented for payment no interest could be collected for the past 68 years. As the last payment on this debt was \$100.00 in 1870, it is certain that the bonds have been lost or destroyed and will never be presented for payment.

Under the constitution the debt of the state can never exceed \$750,000.00, except to repel invasions or suppress insurrections. It is also provided that at least \$100,000.00 shall be paid yearly on the principal of any debt created.

The enormous state debt created under the constitution of 1802 to construct the canals and assist in the building of railroads proved such a burden that to prevent a future calamity of this character the framers of the constitution of 1851 wisely inserted a section restricting the total state debt that can be created to \$750,000.00. It is a misfortune that similar limitations were not placed in the constitution as to city, village, county and other local indebtedness. Today the state is free of debt while cities and other subdivisions are staggering under a crushing burden of debt which in 1917 totaled over four hundred and fourteen million dollars, an increase of three hundred and seventeen million dollars since 1900.

Ohio had no state debt until 1825. Canal construction caused the creation of an enormous state debt. The debt of Ohio reached a maximum in 1844 when it amounted to \$18,004,526. During the Civil War, in spite of the fact that the state's military expenditures during the war were \$10,410,238.71, the state debt was reduced from \$14,286,935.41 in 1861 to \$12,912,014.45 in 1865. This is truly a wonderful exhibit of real economy and splendid financial management by those in charge of the state government during the Civil War. The state debt was all finally paid in 1903 and Ohio since that date has had no bonded indebtedness.

- 94. Give the area, population, number of townships, number of election precincts, number of congressmen, number of legal holidays, mean annual temperature and average annual rainfall of Ohio. Give the dates of the most destructive floods, storms and frost in Ohio history.**

Area, 41,040 square miles, of which 300 square miles are water. There are 26,265,600 acres in Ohio, of which 24,105,708 acres are farm lands.

Population in 1910 was 4,767,121 of whom 111,452 were colored.

Number of townships—1,379.

Number of voting precincts—5,756. In 1900 there were 3,181.

Number of legal holidays—8.

Number of congressmen—22.

Average mean annual temperature—51 degrees.

Average annual rainfall—39 inches. The rainfall in 1856 was only 28 inches, while in 1890 it amounted to 50 inches.

The most destructive floods on the Ohio river occurred in the following years: 1772, 1832, 1847, 1883, 1884, 1898 and 1913. The great flood throughout Ohio in 1913 was the most destructive in Ohio history, but the highest point ever reached by the Ohio at Cincinnati was slightly over 71 feet in 1884.

The noted "June frost" was on the morning of June 5, 1859.

Among noted tornadoes were the following: September 8, 1885, at Washington C. H.; April 27, 1884, at Jamestown in Green county; the Burlington storm on May 18, 1825, the most destructive tornado in Ohio history, passing through Delaware, Licking, Knox and Coshocton counties.

- 95. What relation to Ohio have the following religious sects held: Shakers, Dunkards, Zoarites and Mormons? What events in Ohio history do the following names suggest: Boquet, Fallen Timbers, Leatherwood God, Gnadenhutten, Johnny Appleseed, Col. Wm. Crawford and Big Bottom?**

The Shakers, or Shaking Quakers, were followers of Ann Lee and originated in England in 1747. Three Shakers from New York came to Warren county in 1805 and established a Shaker community at Union Village, four miles west of Lebanon. There were at about 1830 to 1840 a total of 500 in this community. They held 4000 acres in common. The sect did not believe in marriage and had many peculiar customs. Other settlements were made in Adams and Montgomery counties. The church is now about extinct in Ohio.

The Dunkards, or German Baptists, originated in Germany about 1700. They believe in triple immersion. Dunkards came to America and settled at Germantown, Pennsylvania, in 1719. A settlement was made by

them in Ashland county in 1860. They are a very industrious, frugal people and avoid all display in dress.

The Zoarites, or Separatists, originated in Germany in Würtemberg. About 200, led by Joseph M. Bimeler, came to America in 1817 and founded the town of Zoar in Tuscarawas county. They did not practice prayer, baptism or the sacrament. They owned their property in common, and at one time held 9,000 acres of very fertile land. It was quite a prosperous community, with good farms and several small factories in Zoar. In recent years the land has all been parceled out or sold and the old system and institutions abandoned.

The Mormons, or Latter Day Saints, originated in New York in 1830, being founded by Joseph Smith. Smith and his followers came to Ohio in 1831 and established Kirtland, in Lake county. The following year they were joined by Brigham Young. Ohio can thus claim to be the real parent soil of Mormonism. Smith and Rigdon, the two leaders, were tarred and feathered at Hiram. The noted Temple at Kirtland was dedicated in 1836. It is a three story stone structure 60 feet by 80 feet and cost \$60,000.00. Polygamy was not practised by the Mormons while in Ohio. Persecution and the collapse of a bank and land speculation caused Smith and Rigdon and many of their followers to leave Ohio in 1837. They located first in Missouri and in 1840 at Nauvoo, Illinois, where polygamy was introduced and where Joseph Smith was murdered by a mob. A branch of the church still owns the Temple at Kirtland.

Colonel Henry Boquet, a native of Switzerland, in 1764, with 1500 soldiers, starting from Pittsburgh, made the first real invasion of Ohio by colonial troops. He penetrated the region as far as the present location of Coshocton and secured the release of many captives. This expedition was to punish the Delawares for assisting Pontiac. During the later raid into the same region by McIntosh in 1778, Ft. Laurens, the first American fort in Ohio, was built near Bolivar in Tuscarawas county. The general assembly in 1915 appropriated \$5,500.00 to purchase the site of this fort.

Fallen Timbers, fought August 20, 1794, by General Wayne on the banks of the Maumee in the present county of Lucas, was the most noted victory ever gained over the Indians on Ohio soil. With 3,000 men he utterly routed a large body of Indians representing all the tribes of that region. It resulted in the final evacuation in 1796 by the British of Ft. Miami on the Maumee in Lucas county and of Detroit. It also forced the Indians to sign a treaty at Greenville the following year.

The Leatherwood God was a name given to Joseph C. Dylks, a strange character of unusual dress and appearance, whose origin is unknown, who mysteriously appeared in August, 1828, at a camp-meeting being held on Leatherwood creek in Guernsey county. He proclaimed himself God and gained a considerable following. He suddenly disappeared a few months later but several continued to believe in his divinity for a number of years.

Gnadenhutzen was the settlement of Christian Delaware Indians on the Tuscarawas in Tuscarawas county, among whom the famous Moravian missionaries Rev. John Heckewelder and Rev. David Zeisberger labored. Between 90 and 100 of these civilized Indians, men, women and children, were massacred by Col. Williamson's forces, March 8, 1782. It was the most brutal crime ever enacted by the whites on Ohio soil.

Johnny Appleseed, whose real name was John Chapman, was an eccentric character who came to Ohio from New England in 1801. He traveled over the state with a supply of apple seeds, planting nurseries and

was a familiar figure in many sections from 1810 to 1835. He may have been insane, but his efforts proved of great benefit to the early settlers in planting apple trees in many counties. He died in 1845, aged 70 years, and is buried in Indiana, near Ft. Wayne.

Col. William Crawford was a famous Indian fighter who led an expedition against the Indian villages about Sandusky in 1782. He was accompanied by Col. Williamson. The forces of Crawford were defeated and he was captured and burned at the stake near the present site of Upper Sandusky.

Big Bottom was the first noted massacre of white settlers in Ohio after the settlement at Marietta in 1788. The massacre occurred January 2, 1791, near the present site of Stockport in Morgan county, and was perpetrated by a band of about 25 Delaware and Wyandot Indians. Twelve whites were killed and two escaped. The state now owns the site of the massacre. A monument was erected by the late Obediah Brokaw, for many years owner of the farm.

- 96. What Ohio citizens have been chief justices of the supreme court? What other Ohio men have been members of that court? Has Ohio ever furnished a vice-president, speaker of the house, or secretary of state?**

Of the nine men who have served as chief justices of the U. S. supreme court, Ohio has furnished two—Salmon P. Chase, 1864-1873, and Morrison R. Waite, 1874-1888.

The associate justices from Ohio have been John McLean, 1829-1861, Noah H. Swayne, 1861-1881, Stanley Matthews, 1881-1889, and William R. Day, 1903, to the present. Only four justices have exceeded Judge McLean in years of service—Marshall, Story, Field and Harlan. With the exception of the period from 1889 to 1903, Ohio has had one or more members of the U. S. supreme court continuously since 1829.

No Ohio man has ever been elected vice-president. Senator Benjamin F. Wade of Ohio was acting vice-president from 1867 to 1869 under President Johnson. Vice-presidents Hendricks and Fairbanks were natives of Ohio. Pendleton and Thurman were candidates for vice-president but were defeated.

The only speaker of the House from Ohio was J. Warren Keifer of Springfield for one term, 1881-1883.

Ohio can rightfully claim to be the mother of presidents, judges and generals, but she has not been prolific in producing secretaries of state. It was 94 years after her admission when she was first honored with an Ohio man in that position—John Sherman, 1897-8, under McKinley. He was succeeded in 1898 by William R. Day, also of Ohio, who served a few months. Day in 1903 was appointed a member of the U. S. supreme court.

- 97. For what president did Ohio cast her first vote? Did Ohio ever cast her electoral vote for a Federalist? Did Jackson, Clay or Harrison ever fail to receive the electoral vote of Ohio? Did the state support James Buchanan? Has Ohio ever divided her electoral vote?**

Jefferson carried Ohio in 1804, receiving 2,593 votes out of 3,213 cast. No Federalist candidate for president ever received a majority in Ohio.

Jackson and Clay each carried Ohio twice and failed to carry it once each. In 1824 in Ohio, Jackson received 18,489 and Clay 19,255. In 1832 Jackson received 81,246 and Clay 76,539. Harrison made two races for

president, 1836 and 1840, and carried Ohio both elections. In 1856 Ohio cast 170,874 votes for Buchanan and 187,497 for Fremont.

In presidential elections the first elector on each ticket, by reason of mistakes in marking the ballot, usually receives a larger vote than the other electors on the same ticket. In 1892 Harrison received only 1,072 plurality in Ohio over Cleveland, but James P. Seward, of Mansfield, the first elector on the Democratic ticket, received more votes than any of the Republican electors except the first one on the Republican ticket. He was therefore elected and Ohio cast 22 electoral votes for Harrison and one for Cleveland, the only time in the history of Ohio when the electoral vote of the state was divided.

- 98. What three Ohio statesmen served twenty years or more each in the house of representatives? What United States senator from Ohio was chosen for six terms? What two served three terms each?**

Joshua R. Giddings, of Ashtabula, and Samuel F. Vinton, of Gallia, each served eleven terms, or 22 years, in the lower house of Congress, and Charles H. Grosvenor, of Athens, ten terms, or 20 years. Giddings was the only one of these whose service was continuous for the whole period.

John Sherman, of Mansfield, was elected to six terms in the U. S. senate, but did not serve 36 years. He began his service in 1861, but was secretary of the treasury under Hayes from 1877 to 1881. He was returned to the senate in 1881 and continued in that body until he resigned in 1897 to become secretary of state under McKinley. Benjamin F. Wade, of Ashtabula, served three terms in the senate, 1851-1869, and Benjamin Ruggles, of Belmont, three terms, 1815-1833.

- 99. How many presidents were natives of Ohio? How many were citizens of Ohio when elected? How many are buried in Ohio?**

The natives of Ohio who have been president, together with counties in which they were born, were as follows: U. S. Grant of Clermont, R. B. Hayes of Delaware, James A. Garfield of Cuyahoga, Benjamin Harrison of Hamilton, William McKinley of Trumbull, and William H. Taft of Hamilton.

The following Ohio citizens have been elected president: William Henry Harrison, R. B. Hayes, James A. Garfield, William McKinley and W. H. Taft.

William Henry Harrison is buried at North Bend in Hamilton county, R. B. Hayes at Fremont, James A. Garfield at Cleveland, and William McKinley at Canton.

- 100. What famous Ohio statesmen are honored with statues in Statuary Hall in the national Capitol? Are any native Buckeyes enshrined in the Hall of Fame at New York?**

Statuary Hall is located in the Capitol at Washington. An act of congress passed in 1864 authorized each state to place two marble or bronze statues in the hall, of deceased citizens of renown. Ohio is represented by statues of President Garfield and Governor Allen. There are statues of two natives of Ohio representing other states—George W. Glick, representing Kansas, and Frances E. Willard, representing Illinois. Lewis Cass, representing Michigan, and Samuel J. Kirkwood, representing Iowa, formerly resided in Ohio.

New York University in 1900 received \$250,000.00 from an unknown source to build a Hall of Fame. The rules adopted were that 150 panels, each two feet by six feet, should be placed in this hall. Later a Hall of Fame for women was added with space for 50 panels. The names of fifty noted men, deceased at least ten years, were to be placed on panels in the beginning and five to be added each five years, the 150 panels to be filled by the year 2000. It was required that each name selected must receive at least 51 of the 100 votes cast. Only 29 were selected on the first vote. There are now 50 men and 6 women honored by places in this hall. Three natives of Ohio are among the number: U. S. Grant, W. T. Sherman and Frances E. Willard. Three others, Horace Mann, Henry Ward Beecher and Harriet Beecher Stowe, formerly resided in Ohio.

OHIO GOVERNORS FROM 1803 TO 1917.

Giving Politics, Residence, Date of Election and Length of Term.

UNDER CONSTITUTION OF 1802.

	<i>Politics.</i>	<i>County.</i>	<i>Elected.</i>	<i>Served.</i>
Edward Tiffin.....	Democrat	Ross	1803 and 1805..	1803-1807
Thomas Kirker.....	Democrat	Adams	Acting	1807-1808
Samuel Huntington.....	Democrat	Trumbull	1808	1808-1810
Return J. Meigs.....	Democrat	Washington	1810 and 1812..	1810-1814
Othneil Looker.....	Democrat	Hamilton	Acting	1814
Thomas Worthington.....	Democrat	Ross	1814 and 1816..	1814-1818
Ethan Allen Brown.....	Democrat	Hamilton	1818 and 1820..	1818-1822
Allen Trimble.....	Federal	Highland	Acting	1822
Jeremiah Morrow.....	Democrat	Warren	1822 and 1824..	1822-1826
Allen Trimble.....	Federal	Highland	1826 and 1828..	1826-1830
Duncan McArthur.....	Federal	Ross	1830	1830-1832
Robert Lucas.....	Democrat	Pike	1832 and 1834..	1832-1836
Joseph Vance.....	Whig	Champaign	1836	1836-1838
Wilson Shannon.....	Democrat	Belmont	1838	1838-1840
Thomas Corwin.....	Whig	Warren	1840	1840-1842
Wilson Shannon.....	Democrat	Belmont	1842	1842-1844
Thos. W. Bartley.....	Democrat	Richland	Acting	1844
Mordecai Bartley.....	Whig	Richland	1844	1844-1846
William Bebb.....	Whig	Butler	1846	1846-1848
Seabury Ford.....	Whig	Geauga	1848	1848-1850
Reuben Wood.....	Democrat	Cuyahoga	1850	1850-1852

UNDER CONSTITUTION OF 1851.

Reuben Wood.....	Democrat	Cuyahoga	1851	1852-1853
William Medill.....	Democrat	Fairfield	Acting	1853-1854
William Medill.....	Democrat	Fairfield	1853	1854-1856
Salmon P. Chase.....	Republican	Hamilton	1855 and 1857..	1856-1860
William Dennison, Jr.....	Republican	Franklin	1859	1860-1862
David Tod.....	Republican	Mahoning	1861	1862-1864
John Brough.....	Republican	Cuyahoga	1863	1864-1865
Charles Anderson.....	Republican	Montgomery	Acting	1865-1866
Jacob D. Cox.....	Republican	Hamilton	1865	1866-1868
R. B. Hayes.....	Republican	Hamilton	1867 and 1869..	1868-1872
Edward F. Noyes.....	Republican	Hamilton	1871	1872-1874
William Allen.....	Democrat	Ross	1873	1874-1876
R. B. Hayes.....	Republican	Sandusky	1875	1876-1877
Thos. L. Young.....	Republican	Hamilton	Acting	1877-1878
Richard M. Bishop.....	Democrat	Hamilton	1877	1878-1880
Charles Foster.....	Republican	Seneca	1879 and 1881..	1880-1884
George Hoadley.....	Democrat	Hamilton	1883	1884-1886
J. B. Foraker.....	Republican	Hamilton	1885 and 1887..	1886-1890
James E. Campbell.....	Democrat	Butler	1889	1890-1892
William McKinley.....	Republican	Stark	1891 and 1893..	1892-1896
Asa S. Bushnell.....	Republican	Clark	1895 and 1897..	1896-1900
Geo. K. Nash.....	Republican	Franklin	1899 and 1901..	1900-1904
Myron T. Herrick.....	Republican	Cuyahoga	1903	1904-1906
John M. Pattison.....	Democrat	Clermont	1905	1906
Andrew L. Harris.....	Republican	Preble	Acting	1906-1909
Judson Harmon.....	Democrat	Hamilton	1908 and 1910..	1909-1913
James M. Cox.....	Democrat	Montgomery	1912	1913-1915
Frank B. Willis.....	Republican	Hardin	1914	1915-1917
James M. Cox.....	Democrat	Montgomery	1916	1917

NOTE:— The acting governors under the constitution of 1802 were Speakers of the Senate who succeeded to the governorship to fill vacancies occasioned by resignations. The acting governors under the constitution of 1851 were lieutenant governors who became governors to fill vacancies caused by resignations and deaths. From 1803 to 1851 the terms of office of governors ended on the first Monday of December. Under the present constitution each term begins on the second Monday of January.

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